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Council Discussion 11/28

Office of the
CITY MANAGER

Adopted 12/5/67 as modified on attached copy WCH

City Manager Report No. 67-50

Date September 13, 1967

Subject **PROPOSED REVISION OF GENERAL PROVISIONS RELATING TO NON-DISCRIMINATION IN EMPLOYMENT BY BIDDERS ON CITY CONTRACTS**

To the HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

In response to a request from the Human Relations and Welfare Commission the City Council directed that we explore possible legislation designed to provide for more effective controls governing non-discrimination in employment by bidders on City contracts.

After extended analysis of the problem in conjunction with Mr. Henry Poppic, Chairman, and Mr. Michael Heyman, Member, Human Relations and Welfare Commission, and the City Attorney, it was concluded that the most effective means by which this objective might be achieved would be through amendment of the general provisions which are included in the specifications for all city contracts. Attached is a copy of the proposed revision of these general provisions which provides for a system of pre-award conferences with the apparent successful bidder on all City contracts involving $25,000 or more.

The purpose of these pre-award conferences would be to develop and agree upon a program of affirmative action to be undertaken by the apparent successful bidder as well as his subcontractors to provide equal employment opportunity. By use of such a procedure it is believed that more specific and individualized steps can be taken toward improving equal employment opportunities.

You will also note that failure to participate in such a pre-award conference, or failure to present any program of proposed affirmative action, or failure to carry out a proposed program of affirmative action may result in the City Council declaring such a bidder to be an irresponsible bidder, ineligible for further award by the City for a period of three years.

Finally, it should also be noted that inclusion of these additional requirements in the general provisions of the specifications does not require adoption of an ordinance by the City Council. It was, however, your original request that when a proposal of this kind was ready for consideration that arrangements be made so that contractors, labor union representatives and other interested citizens might have an opportunity to discuss the proposal with the City Council.

Therefore, it is recommended that the City Council set a time at the earliest convenient meeting at which the proposed addition to the general provisions of the City's standard specifications might be discussed with affected and interested firms, organizations and individuals.

William C. Hanley
City Manager

Attachment

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All uses of this manuscript are covered by a legal agreement with Bernice H. May, dated 30 March 1974. The manuscript is thereby made available for research purposes. All literary rights in the manuscript, including the right to publish, are reserved to The Bancroft Library of the University of California at Berkeley. No part of the manuscript may be quoted for publication without the written permission of the Director of The Bancroft Library of the University of California at Berkeley.

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Regional Oral History Office

Women in Politics Oral History Office

Bernice Hubbard May

A NATIVE DAUGHTER'S LEADERSHIP IN PUBLIC AFFAIRS

Volume II

An Interview Conducted by
Gabrielle Morris

Copy No. 1

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X THE FAIR HOUSING STORY
(Date of Interview: May 24, 1974)

1961: Liberal Majority Elected

Morris: Did the fact that, by August of '61, Bill Sweeney and Zack Brown were now on the city council make any difference in the decision to appoint a committee to study discrimination in housing?

B. May: Certainly. We never would have started if we hadn't had the majority, because it would have been hopeless. We'd based our plans on winning the 1961 election and hoped to add two new councilmen who believed that a municipal government should concern itself with social as well as physical changes in the city.

Our aim was the reduction and eventually the elimination of discrimination in Berkeley -- the development of a truly integrated city. Our concern with housing stemmed in part from the growing concern among citizens in Berkeley for the integration of Berkeley public schools. The Staats Report was published in October of '59 and had been a study of more than a year's time. It had pointed out that the pattern of housing in Berkeley contributed to the segregation in the schools and that a plan for school integration must take this into account.

So, there was a good deal stirring in Berkeley in regard to housing. Discrimination in housing as a handicap to fair employment was beginning to be recognized. As industry moved out of older cities to obtain larger sites, many minorities were cut off from job opportunities because they could not get housing near enough to the new factories.

Morris: By 1961, was it an actual, verbal, discussed campaign issue, the matter of housing and racial discrimination?

B. May: By liberal candidates and in South and West Berkeley.

Morris: Did you campaign for Zack [Brown] and Bill [Sweeney]?

B. May: Yes. I endorsed them and tried to help in a variety of other ways. My chief assignment in that campaign was issues. I shall never forget the first time Bill Sweeney [Wilmont T.] came to see me to discuss issues that he might encounter in talking to groups. Of course, he had already seen the rather short platform of the Berkeley Caucus. I was not to indoctrinate him with a hard and fast platform, but to let Bill know what issues were current, what pros and cons were, and how Art, Jack, and I felt about them.

Bill turned up with a briefcase, from which he took out a large, yellow, blue-lined, legal tablet. I thought to myself, "Well, he really takes it seriously!" This session had been a suggestion that D.G. Gibson had made to me and to Bill after a luncheon meeting to which I had gone to meet this new Democratic candidate. I wasn't entirely sure that Bill, as a young man, was ready to accept an older woman mentor on issues. But when I saw that tablet and that he took out his pen and proceeded to take notes, I felt convinced that here was a candidate that at least was going to listen as well as advocate.

So, Bill knew that we had fair housing in mind and a good many other things as well. He felt that, for the most part, he was in agreement with our views, but there were some he could and would argue about if elected, such as industry versus open space. Then I got to the subject of dogs and he looked very surprised, dogs not having occurred to him before as a social problem, or even a problem of discrimination. When I advised him to be wary, noncommittal and to say, "What do you think?", he was vastly amused and wanted to know the basis for this.

Morris: Yes, I should too.

B. May: I said, "Well, 49 1/2 percent of the people in Berkeley are ardently for dogs having every freedom and comfort, and 49 1/2 percent of the people are for chaining dogs and muzzling them if possible. The one percent left doesn't care. You can't win. Nothing you can say about dogs will do you any good.

Morris: And you alienate 49 1/2 percent whatever you do say.

B. May: Yes.

B. May: More manageable issues were BART routes and plans, no Ashby or other freeways intersecting Berkeley, better maintenance of streets and sidewalks, taxes, tax relief for home owners, appointment of qualified black personnel to city jobs and to commissions, redesign of firehouses and enlarged fire districts to make effective the change from horses to motor drawn engines, up-dating and enlarging parks with the disappearance of vacant lots, traffic patterns, and on and on.

Other sessions on issues with Bill followed and merged into the weekly luncheons of liberal candidates, and the managers, held at my home in 1961 and again in 1965. I couldn't rival Mrs. Witkin as a cook but found a fine helper in Kay Jammer, who fed us cheerfully and economically. We picnicked in the garden, weather permitting, argued at length and loudly, and many of us became friends for life.

Citizens' Committee to Study Discrimination in Housing

Morris: We mentioned that the Welfare Commission was ready to take a look at what it had done in its first fifty years and to determine some directions for what it might do next. Was it the existing Welfare Commission that made a study and recommended that it become the Human Relations and Welfare Commission?

B. May: No. At the suggestion of Harris, Kent and May in 1960, the council appointed a citizens' committee to review the past fifty years' history and also to make suggestions as to how the commission might become engaged in assisting the city and the council to plan to meet changing social needs, including specifically in its charge such problems as racial discrimination, problems of youth, problems of aging, and the like.

Among the recommendations of this large committee was that the council appoint a special committee representing a wide variety of points of view and experience and including black membership to tackle what appeared to them to be the major form of discrimination in Berkeley -- housing. This led to the appointment of the [reading title] Citizens' Committee to Study Discrimination in Housing in Berkeley.

Morris: That was appointed in August, 1961?

B. May: Yes.

Morris: You would have participated in appointing that committee, wouldn't you, as a member of the council's appointments committee? Were you chairman?

B. May: Yes, to both. Of course, the full council had to approve the committee membership.

Morris: Did they make nominations?

B. May: In the case of an important committee of this kind, we asked the members of the council for nominations and, as I recall it, had at least two sessions on the selection of the committee because we wanted it to be obvious that the committee had been planned to represent many viewpoints.

Morris: These would be executive sessions of the whole council that talked about the makeup of that committee?

B. May: No, committee sessions. We did not restrict the attendance of other members of the council to any given number because we were concerned with appointing the best possible personnel.

Morris: Who else was a member of the council appointments committee with you? That's usually a three-member committee, isn't it?

B. May: Yes. Most of the time during the years immediately following Mr. Sweeney's election to the council, he was a member of the appointments committee, and the minority member, now a Republican member and at first Mrs. Thomas, varied from time to time. Later Tom McLaren served and John de Bonis opposed any committee.

So, we attempted to make the housing committee widely representative. It was a big committee and they worked for a long time. Babette [Chamberlain] was on it, and Henry Poppic and Wes Harberts.

Morris: That's an interesting spread right there.

B. May: Yes.

We never really convinced -- I shouldn't say "we" -- I mean the activities of the committee, never convinced Wes Harberts that discrimination in housing was a key factor in the total picture of discrimination. I think it opened his eyes, but he

B. May: thought, "If the churches prevail and we all behave better, it will go away."

The committee we finally appointed was composed of citizens, most of whom had long been active in Berkeley affairs. It included [counting] eighteen persons, of whom six were black, one Chinese, and one Japanese.

Morris: Although they weren't considered a separate minority at that point, how many women were there?

B. May: There were [counting] six women, one of them Chinese and two black. Yes, six is right. But let me again repeat my protest against women -- we fakers -- pretending to be a minority when we are a majority in the U.S.A.

Three members of the housing committee were in the real estate business, three were lawyers, two were from industry, two were housewives, one from retail business, one a bookkeeper, one a credit union employee, one an insurance broker, one a physician, one a physicist, one a printer, and one a research sociologist.

Today, the makeup of this committee might be criticized as not having a sufficient representation from men in the street, but by 1961's standards it did represent a widespread of opinion.

Morris: Did it represent unanimous vote of the council?

B. May: We would have to check the minutes of that section. My recollection is that it had the unanimous vote of the council members present and that Mrs. Thomas and Mr. Beckley were not there.

Morris: On purpose?

B. May: This was the vacation period. But this, too, can be verified by looking at the minutes.

Morris: How was the chairman selected?

B. May: It was the custom of the council at that time to appoint a chairman or a chairman pro tempore, in order that the first meeting of any committee should get down to business at once.

B. May: Mr. [Henry] Poppic was appointed temporary chairman and was asked by the committee to continue. He was certainly a good selection, because he had been and continued to be active with such groups as the Berkeley Chamber of Commerce as well as social agencies. He is an attorney who practices in Berkeley and had long demonstrated on the Berkeley Council of Social Planning his concern for social measures and social change.

Morris: Committees like this sometimes are described as delaying tactics, or alternatively as a process of educating a community on a potentially sensitive topic. Were either of these factors present, do you think, with this committee?

B. May: Yes, but neither was of first importance. In so new an area as Berkeley's rising concern for the problems of all of its citizens, it took a good deal of time to decide what constituted discrimination, and did it exist in Berkeley, and then to have a long period of open sessions about possible action.

They met twice a month and formed themselves into a variety of subgroups. They first interrogated persons who came voluntarily to report discrimination or, as landlords, to protest that property rights would be violated and the value of property would be reduced by the passage of an ordinance against discrimination in housing.

The committee interviewed at length [reading from report]: "A total of fifteen real estate brokers selected at random from telephone book listings and five brokers selected from among industry leaders who were concerned with the policies of the Berkeley Realty Board." This group of twenty were interviewed by a subcommittee and to their surprise, found that these real estate men agreed that housing opportunities were not equal for all Berkeley residents, that in general business patterns -- that is, the availability of store and office space -- were segregated in the same way as living patterns, that practices in regard to selling of houses to minority buyers varied, and listing of properties also varied. Some brokers, for example, would list and sell houses in an area largely white, but where some blacks were already living. But others had not and would not make a first entry into a block or an area.

Most of the brokers interviewed did not believe that property values declined when non-white families moved into a white neighborhood.

Morris: That's interesting.

B. May: All of which was interesting, though the last view, that property values do not decline, has been well supported by research in the other states and cities that had experience. It shows, I think, that Berkeley did have a pervasive liberal stance, since the state real estate board obviously did not agree with these interviews.

Morris: With local real estate people.

B. May: Yes, since the state real estate board later spent $15,000 defeating, by use of the referendum, the housing ordinance which we later passed.

The report of the Committee on Discrimination in Housing, together with the appendix, gives the result of all of their studies. It's part of the documentation attached to this section of oral history and I hope it will be useful to people who want to see what its major provisions were.

After the committee had held hearings and worked until -- [pauses to think]

Morris: It was presented to the council in October of '62, so they worked for over a year.

Council and Community Discussions

B. May: Yes. Their report was presented in October of '62. The council then had to consider whether or not agreement could be reached within the council and how far this agreement would go.

Morris: Was there much surprise or comment by the council or by the audience when the report was brought in?

B. May: It was pretty well known among those who followed meetings and discussions at city hall that the committee would recommend an ordinance. I think there may have been more surprise, in a sense, that the [Welfare] Commission also recommended, unanimously, the passage of an ordinance.

Morris: Why was it surprising that the Welfare Commission itself backed it up?

B. May: They had probably as individuals attended the hearings and they had a strong liaison representative on the committee on housing in the person of Dr. T. K. Cleveland, their chairman. But some members still survived on the commission who were apparently satisfied with their restricted responsibilities.

The council held three or four public hearings and discussed the ordinance, at least two council sessions. The city attorney, Mr. Robert Anderson, had been observing the work of the committee from time to time and had been consulted by them in regard to his opinion on what provisions would be possible under the state constitution.

Mr. Anderson, though far from being an outstanding liberal, always was a strong advocate of home rule, especially home rule for charter cities. He also believed that the law changes and grows with changing public opinion. Since he saw no reason why a charter city should not pass any ordinance it wished which did not directly attack the constitution of the state, he was quite willing that we try it and see what the court said. As was natural, he didn't care to have an ordinance that he had drafted turned down for some lack of legal skill. He had been preparing himself to draft an ordinance, which he did very expeditiously.

Morris: You're saying, then, that he researched similar fair housing legislation that did exist in other cities at that time?

B. May: Not in other cities where little existed. He researched what a charter city in California could do in regard to regulation of an existing problem within its borders and reached the opinion that a local discrimination in housing ordinance would be constitutional. Later, opponents of the ordinance gaily said that it would undoubtedly be unconstitutional, but the city council felt that, through Mr. Anderson, we had the advice of an attorney who was not advocating either side, but was saying, "In my view this would stand challenge in the courts if you wish to enact it."

Morris: Up to this point it sounds all very orderly and encouraging, with some, as you say, not noted liberals being prepared to give this a try. Were you and your four fellow liberal colleagues on the council prepared for what a controversy this fair housing issue became? Did you expect it at all?

B. May: We expected a narrow victory after a great deal of protest, beginning with the public hearings on the ordinance. We got protest and a great deal of very heartening support also. I was encouraged by the fact that many of the appearances in support of the ordinance represented views of organizations such as the League of

B. May: Women Voters, the Council of Churches, labor unions, and the NAACP, which had been pressing for laws to back up the pious statements that existed in the U.S. Constitution, the state constitution, and the city charter. A long list of organizations supported the ordinance. [Speaking to her readers.] In the campaign material for the 1963 campaign, interested people will find listed the organizations, some of which sprang up to support it.

One very helpful source of support was that of organized labor.

Morris: Organized labor? Locals or the Central Labor Council?

B. May: The Central Labor Council and the State Central Council supported it, more with good words than with money, though, as I recall it, the Alameda County COPE in the '63 election endorsed and helped all of the candidates who had endorsed the local housing ordinance. COPE also distributed a fine leaflet.

I believe the chamber of commerce took no position.

Morris: In this long article that ran in the Chronicle, shortly before the election, it's reported that Ned Robinson, who was a spokesman for the Berkeley Realty Board, put the realty board on record in support of the proposed ordinance. What happened to the local real estate people in this?

B. May: The local real estate people, as you are saying, did not themselves fight the ordinance before the council.

Morris: Do you remember the brokers being positive?

B. May: They opposed primarily the clause which is part of any ordinance that the city intends to enforce, that is, the misdemeanor clause. This was opposed by some businessmen and by many real estate brokers, despite the fact that riding a bicycle in the wrong place is a misdemeanor.

Morris: The misdemeanor provisions were not different from those in other existing ordinances?

B. May: No. It's very seldom that a first misdemeanor requires much more than a court appearance. The misdemeanor is the penalty which had been included at that time for some years in the Fair Employment Practices Act and had been used in a few cases. The argument for the inclusion of a penalty in the ordinance was that

B. May: otherwise, said the NAACP and others, it would appear that the City of Berkeley wanted kudos for liberality, but was not really concerned as to whether the ordinance would be enforced or not. So, this was a point of difficulty to get over within the council. It was much used by the opponents and always, as I've just said, in the maximum terms of $500 and six months in jail.

I should give a picture of the other side, since I've given a rather favorable, calm account of the advocates (no doubt my prejudices are showing) -- there was a great deal of opposition expressed, which represented not an opinion in regard to the detail of this particular ordinance, but an expression of racial prejudice in general.

For example, I think we were all astounded during a public hearing at a long, emotional speech made by a woman, who, of course, identified herself by name but whose accent further identified her as being an immigrant from some north European county. She was resentful of the movement to assist black minorities, saying that no one had helped other racial groups when they had come into the United States, that she had earned everything she got in the United States, and ended by saying, "And I've never been able to afford a Cadillac!"

Other arguments were that Negroes didn't really wish to live in white neighborhoods and that we were forcing something on them that they didn't want. Without exception white persons put forward this viewpoint.

Morris: Were there many black people speaking, who took the trouble to come to the hearings?

B. May: Yes. As I think I said earlier, many of these came representing black organizations.

Morris: The NAACP and what others?

B. May: The Black Democrats, church groups, social clubs like Phyllis Wheatley, and so on.

Morris: Did the churches -- ?

B. May: A great many clergymen, black and white, spoke in support. I don't remember any clergymen appearing against it.

B. May: There were many persons who spoke in opposition on the basis that property rights were one of the most important rights of the citizen and that you were guaranteed the use of your property in any way you cared to use it. When a reply would be made that they were subject to weed clearance, to zoning, to building restrictions, which greatly affected their use of their property, they always said, "But that's different."

Morris: Was it the property rights issue that got the taxpayers' association involved?

B. May: Yes. And the belief, which was widespread, that selling residential property to Negroes lowers the value of property in a residential district. Many studies have been made showing that this doesn't happen, provided the owner maintains his property at the general standard of the neighborhood. As one apartment house owner said during the hearings, "I'm neutral. I rent to the first person who comes whose credit is good and I've had very good black tenants and very bad black tenants, and I've had very good white tenants and very bad white tenants. I don't see that color makes any difference."

Morris: Were you able to sort out how much of these comments on property rights was emotional content and how much was that they hadn't yet had enough experience or knowledge from other communities about the effect of open housing on property values?

B. May: I think, unfortunately, that in this field of race relations, you see only the tip of the iceberg. We and our white and black supporters may have been deceived by our own contacts in the community and also by the tribute which was at that time being paid almost universally to the brotherhood of man. But we found out: "It's all right to have a brother of any color, but I don't want him on my block!"

Housing Ordinance Approved

B. May: The council discussion went on for two sessions before our voting. Part of the strategy of both sides was to get the matter decided before the '63 election.

Morris: So that it would not be a campaign issue?

B. May: No, we hoped it would be a campaign issue in a good, viable sense

B. May: for the liberals who were planning to run.

Morris: To be able to say, "Look at this beautiful thing we've been able to accomplish in the city of Berkeley.

B. May: Yes. Of course, the opposition were hoping to get it on the ballot at the same time and were well prepared at the last public hearing.

Morris: In other words, it was thought of as a measure that the council itself would put on the ballot for a referendum?

B. May: No. They knew that we wouldn't vote to put it on the ballot for a referendum because it was a long and complex ordinance, which, if passed, could only be amended by another election. Regardless of our individual attitudes toward the ordinance, the council as a whole believed that the duty of elected representatives was to consider and make decisions, that the old town meeting idea of popular vote was not suited to a complex modern society, and that legislators were evading their responsibility if they wouldn't make up their minds about tough questions.

In any event, it finally passed with the minimum five votes.

Morris: It did and the vote was very interesting; it was five to two. Mr. Beckley and Mrs. Thomas were absent again and I wondered if they were absent on purpose because it was a sticky question?

B. May: This I don't know. You'd have to ask Mrs. Thomas.

Morris: Were they particularly vocal in the council discussions?

B. May: Mr. Beckley was. He felt strongly that we were multiplying laws and regulations in modern cities and states and that many decisions could better be left to gradual evolution. He said that any black could purchase through the intervention of a white friend a home in Claremont or the north Berkeley hills.

Morris: And he felt that that was a satisfactory way for things to be?

B. May: He felt this would spread and become acceptable. He admitted that to do this you usually had to narrow your choice of houses. You would have to take a house that was shown to you, yes or no.

Morris: Possibly even unseen.

Housing Realities for Minorities

B. May: One of our distinguished Bay Area Negro citizens, now and I believe then a judge, who is married to a Caucasian, said to me once, "In one way it's simplified my life because my wife always secures our housing, but it would be nice for once to see the house before I begin paying for it."

Morris: Yes. It's an awkward way of doing things, to say nothing of right or wrong.

B. May: Yes. Of course, legally, in many cases, the house is first sold to a white friend who then sells it to his or her black friend. It's called double escrow and it doubles the fees; it doubles the trouble.

Some liberals, however, in Berkeley, when they wanted to sell a house, did look for black purchasers.

Morris: Were there any real estate offices that made an effort to make things easier for black families, that were generally known?

B. May: Not many. I think Morris Tepping was the only one I knew of at that time. Later, black real estate firms and Japanese firms did extend their business and there were other white firms that hired black salesmen and were generally sympathetic.

Morris: How about Mason-McDuffie? They are probably the largest firm around and, at that point, had quite a lot of state connections and various of their officers had been active and interested in politics at various times, hadn't they?

B. May: Yes. I don't remember that they took any conspicuous part in Berkeley, whatever their share of the state campaign.

Morris: [Tea break.] Those are the prettiest cups. They look like they were made with great love and affection.

B. May: Yes. They're old Guadalajara. I wish we hadn't liked them so well for out of doors because we've broken and chipped many of them and they don't make this thin ware any more.

Morris: And that's a pretty shade of blue.

So, we were on how the council discussions proceeded. How about Mr. DeBonis and Mr. Hutchison? They voted "no." Had they been active in the discussions?

B. May: I'm sure Mr. DeBonis was and I'm sure he was opposed. I don't remember any special gems. [Pauses to think.]

One unexpected group of supporters at both committee and council hearings came from foreign students at the university, many of whom were not white, some but not all of whom were black. They would say that each year it was a struggle for all of them who were not white to secure a decent room near the campus. A number of student groups appeared in support of the housing ordinance or wrote letters in support.

We also, through the student housing office at the university, were informed that an ordinance would make it much easier to enforce the university's policy of approving only boarding houses which were open to everyone without regard to race. About a third of the landladies or landlords for student boarding houses refused to sign the agreement with the university which stated a variety of conditions, including that they would not discriminate. This meant that non-signers filled up their houses privately with whites.

Morris: I was interested that that university housing nondiscriminatory policy was instituted as early as 1960. Do you happen to recall whether that was a regulation that the housing people just established themselves, or had that gone through the regents?

B. May: Since the university in all its history has been open to any qualified student, regardless of sex or race, this was probably an administrative decision brought about by the housing office, who saw the special difficulties of foreign students, Iranians as well as Nigerians, and would want to be especially helpful to them because of the many difficulties in foreign students' adjustment to --

Morris: To the life in this country, as well as just the academic--

B. May: Yes.

Morris: Was the situation for Asian and other minorities in terms of finding housing the same as it was for blacks?

B. May: It was as far as students were concerned. With the increased Japanese population, it had developed to be very much the same situation with the Japanese.

Morris: That's interesting.

B. May: Either they were more moderate in their tastes, or more tactful in their approaches; Chinese didn't seem to have so much trouble at that time. The Japanese-American Citizens League gave very solid support to the work of the Committee on Discrimination in Housing and, at their request, conducted a telephone survey of Japanese living in Berkeley. They discovered that many of them were not living where they would prefer to live or in locations for which they could afford to pay.

1963: Fair Housing Referendum

Morris: Was it a dramatic confrontation when it was announced that there would be a referendum on the ordinance? It happened the same night that you had the vote.

B. May: There were boos and cheers.

Morris: Was this in the council chambers?

B. May: Yes, as I recall it, it was in the council chambers, and filled. But, you know, that doesn't take a very large crowd -- about three hundred.

One of my small, personal satisfactions in regard to housing came when the petitions were to be presented to the council, to take the ordinance to the electorate. By this time, you see, it was '63 and the hundredth anniversary of the Emancipation Proclamation. At this time, as again you may or may not remember, the council, in addition to repeating the oath of allegiance, also had a brief quotation, anything but a prayer, any quote --

Morris: An inspirational comment. I remember them.

B. May: Relating to self-government. This had come about because someone or other had said, "Since we meet every week, wouldn't it be a

B. May: good idea to save five minutes or so and have the pledge of allegiance just on high days and holidays during the year." That caused quite a bit of discussion and pro and con. Then the Berkeley Times, which was a second newspaper published in Berkeley at that time, suggested some legislative bodies follow the custom of having something inspirational at the beginning of each session. This greatly took the fancy of Zack Brown, who said, "Let's do it."

Morris: And did it go in rotation and each councilperson had to come up with a little thing?

B. May: Yes. The clerk reminded you when your day was coming up.

Morris: The board of education must have responded to the same idea. I remember that it got a little strained over there after a while. People ran out of inspiring quotes.

B. May: You did. You had to go to the library and bone up -- or repeat. My favorite to repeat was from Oliver Wendel Holmes:

"When I pay taxes, I buy civilization."

But, to get back to the housing ordinance, I heard that I was to be the councilman with dibs on the inspiration. When the anti-fair housing petitions were due, sure enough, there the petitioners were with their arms full, some of them not even sitting down, and the city clerk properly said they would have to wait till the council had finished its opening ceremonies and was ready to entertain business. If Mayor Hutchison wished, of course, he could recognize them at that point, but not until the opening ceremony was over.

The council gave the pledge of allegiance and I'm sure you've guessed what our Mrs. May did. I read the Emancipation Proclamation!

Morris: Good for you!

B. May: And I not only read the Emancipation Proclamation, but I read an eloquent, but brief, comment on our lack of progress in the past hundred years, added by the then-President Kennedy. I admit this gave me and others a great satisfaction, but I'm sure further enraged the petition circulators, because it did take me, I would say, ten to fifteen minutes. I read it with great expression!

Morris: Good! In recollection of all your training in public speaking at Berkeley High --

B. May: Yes! Then they stood up and Mayor Hutchison did recognize the, as was proper.

Morris: Otis Marston is referred to as the chief organizer and spokesman against fair housing.

B. May: He was and announced he had never read the ordinance and did not intend to do so. Otis had lived in Berkeley a long time, had a real estate broker's license, and owned much rental property. I had known him most of my life and my husband and I had once been his tenants. He tried to evict us during the war.

Morris: He wanted to put two families where one family was living?

B. May: He wanted to put someone else where we were living and raise the rent. We kept referring him to the war housing authority and winning since we both had war jobs.

Morris: He sounds like he rather enjoyed the hurly-burly and making a big fuss about all of it.

B. May: I think he did. He had been one of the organizers of Berkeley Citizens United, which was, with the Taxpayers, the chief center of organized opposition.

Morris: Were there others who were identified as spokesmen or leaders?

B. May: In the campaign material, we had lists, so if you think that some of the names of these people as well as some of the committees on the other side should be inserted in the main body of our discussion, pull them out. [See campaign materials.]

Candidates and Issues

Morris: By the time the council had voted five to two to approve the ordinance and the referendum petitions had been filed, had you already filed for re-election?

B. May: I believe that this all went on in January, before filing.

Morris: Yes, January 16 is the date that the council voted to approve

Morris: the ordinance and then Mr. Marston turned in his 10,555 signatures.

B. May: Yes. The Berkeley Caucus had already interviewed candidates and had decided to run three for council in '63, plus a candidate for mayor.

Morris: Was that Fred Stripp?

B. May: Yes. The persons who had been endorsed by the Caucus for council were Arthur Harris, Dan Dewey, and myself.

Morris: Did you campaign primarily on fair housing?

B. May: Yes. Arthur and I had, of course, felt that this was going to be a main issue in any case. In house meetings where we were speaking to groups which had already taken a stand -- People usually wanted to talk about housing anyway, questions that had arisen from what they'd read or heard, like the value of properties, what would the penalty be, and this sort of thing.

[Mrs. May added the following to the transcript.]

B. May: National commitment to decent housing for all Americans came five years later with the enactment of President Johnson's fair housing law (Civil Rights Act,1968). In 1963 Berkeley debated its housing problems without national research or long experience elsewhere.

The campaign followed our usual small city pattern -- planned and carried out by volunteers without today's sophisticated professional assistance. No polls, no sampling, no selective registration drives, little if any coordination between committees. The emphasis was on the issue, its sponsors and its opponents, rather than strategy.

In retrospect, I feel that the five councilmen voting for the ordinance were pushed by our three years of talk without the votes to act. We were wary of the difficulty, expense, and possible low voter response to a special election of we deferred action on the housing ordinance -- and so any referendum -- until after the regular April municipal election. We knew the timing was bad, but we were accustomed to planning campaigns as we went along.

B. May: The response to meetings and in the news media was unprecedented for a local election. (The London Economist, for example.) As a speaker, I averaged four meetings on weekdays and eight or nine on Saturdays and Sundays. We missed convincing a majority of Berkeley voters by a narrow margin, but for once Berkeley was fully aware of the issue.

Here are the major arguments pro and con, from the official information sent voters with their ballots, and following them I have written out the major arguments brought up at house and candidates' meetings, as I recall them.

GENERAL MUNICIPAL ELECTION, APRIL 2, 1963

ORDINANCE NO. 3915-N.S.

PROHIBITING DISCRIMINATION BECAUSE OF RACE, COLOR, RELIGION, NATIONAL ORIGIN OR ANCESTRY IN THE SALE, RENTAL, LEASE OR OTHER TRANSFER OF HOUSING ACCOMMODATIONS; CREATING A BOARD OF INTERGROUP RELATIONS; PROVIDING FOR INVESTIGATION, CONCILIATION AND PUBLIC HEARING OF COMPLAINTS OF HOUSING DISCRIMINATION; AND PROVIDING PENALTIES FOR THE VIOLATION OF THE PROVISIONS HEREOF

ARGUMENT FOR ORDINANCE NO. 3915-N.S.

This ordinance is intended to safeguard human and property rights by making possible conciliation and peaceful settlement of differences between Berkeley citizens. It is modelled after the successful techniques of the California Fair Employment Practice law which is so quietly effective in another area of inter-group relations.

The ordinance provides safeguards to both the complainer and complained against. If the efforts of the Board created under the ordinance should fail, it does not give the Board power to do anything on its own. The matter must be taken to court for enforcement. Thus, both sides are protected. On the other hand, if the efforts of the Board are successful, the ordinance eliminates the vexatious and costly court proceedings provided for under present state law.

The ordinance does not create any new rights; it merely sets up machinery for determing and settling differences in a quiet, dignified manner. Nor does the ordinance deny any property owner the right to exercise sound discretion and good judgment in choosing a tenant or buyer. It merely requires that the same standards apply to all. The penalty provision is similar to that of any City ordinance. (Example: Dropping a gum wrapper on the sidewalk.)

We ask that you read the ordinance twice—first, as one discriminated against and again as one accused of discrimination. You will see that the ordinance provides equal protection, that it stresses negotiation and conciliation.

Berkeley has always been proud of its capacity to solve its own problems locally. We ask that you cast your vote as an enlightened, informed citizen who recognizes that this ordinance provides our city with one more opportunity to be proud of its heritage of pace-setting leadership.

Submitted by CITIZENS FOR FAIR HOUSING

Theodore K. Cleveland
Hachiro Yuasa
Reverend Hubert N. Dukes
Charles W. Johnson
Reverend Edward Stovall
Mark Schorer
Rabbi M. Arthur Oles
Tom McLaren
Robert W. Ratcliff

ARGUMENT AGAINST ORDINANCE NO. 3915-N.S.

WHAT IS THE ISSUE?

No fair-minded American denies to others an equal opportunity in housing. The issue here is not prejudice versus tolerance. We are deciding the merit of a law that specifies criminal penalties. We are deciding whether the personal privacy and rights of homeowners should be subject to this law on the pretext that it will assist a small group.

PRESENT CALIFORNIA LAW

Present laws of statewide application prohibit discrimination:

in selling or renting "Publicly assisted housing"

in "All business establishments"

in multiple housing

by real estate brokers.

THE BERKELEY ORDINANCE

This ordinance provides for a board of four persons to investigate complaints; compel attendance; make orders; all subject to threat of fine or imprisonment. These people are drawn from a politically appointed commission without safeguards for judicial qualifications. Should they have the right to compel attendance? Examine one's books? Order compliance? And to use this law one must sign away his rights under the California laws, a questionable constitutional procedure.

The narrow majority of the Council proposing this ordinance evaded these questions and refused to permit a public vote. Although other cities, such as New York, Pittsburgh and Toledo, have discrimination ordinances, Berkeley would be the only American city to experiment in one part of a large residential area and to specify criminal penalties against owners.

VOTE NO ON ORDINANCE NO. 3915-N.S.

Otis R. Marston
J. A. Dorst
Potter Van Court
Richard W. Young

For

(1) A two-year study by a citizens committee shows a law needed to change patterns of availability to minorities of family housing as well as office and business locations -

(2) Segregated housing is the greatest obstacle to the school integration required by U.S. Supreme Court decision and by Berkeley citizens -

(3) Ordinance is constitutional under powers of Charter cities to remedy problems within their borders - Property owners are subject already to such restraints for the common good as zoning, building codes, taxes etc!

(4) Ordinance returns conciliation and mediation before case goes to court - It avoids publicity and nuisance suits for owners and delay and court costs for home-seekers -

Conciliation is working well in 10 states and 3 cities -

Against

(1) Compulsion is an undesirable substitute for education. Proposal is an invasion of privacy. Time solves all problems - leave this one to citizen initiative -

(2) Ordinance is too Draconian Schools should be left to state action under FEPC -

(3) Ordinance is unconstitutional U.S. Constitution guarantees property rights and gives owners absolute control of their property -

4. Ordinance shifts power to enforce from courts to a citizen Fair Housing Commission which will be prejudiced against land lords and real estate brokers.

ARGUMENTS PRO AND CON AT COMMUNITY MEETINGS ON CITY HOUSING ORDINANCE
1963

H. 1963 Housing Issues - For

(5) Misdemeanor penalty rests on the discretion of the judges as in traffic or littering offenses - It has been used by the Fair Employment Commission with no protest. The penalty clause guarantees to minorities it has the ordinance can and will be enforced-

(6) Discrimination is wasteful- We need to widen markets and employment to lessen crime and poverty - Barring minorities from central business destructs lessens economic growth and jobs available to Blacks and others.

7) Christian brotherhood rests on justice for all men - Hope for world peace depends on the effectiveness of democracy at home and abroad- Blacks and whites fight together - why can't we live together?

against

(5) The misdemeanor penalty is unusual and excessive- Is places landlords in grave jeopardy of multiple fines or imprisonment.

(6) Berkeley business gets along well enough as it is- Any business gain would be offset by loss of property tax as values decline under de-segregation of residential areas

(7) Segregation is a communist plot to weaken white democracy- If you don't like the United States, why not leave?

-H-

[Interview resumes.]

Morris: Were the members of the housing discrimination study committee in the hearings and out in the community talking about the ordinance?

B. May: Yes. There were a good many ad hoc citizen organizations, frequently organized with the help of some members of the committee working for the ordinance.

Money, as usual, was scarce on the side of the angels. In the current [1974] discussion of the acceptability of outside contributions to local campaigns, I've often wondered whether the results of this and other Berkeley elections might have been different if so much outside money had not come in.

Morris: Was this the first time that you recall that outside money came in for an issue or for a candidate?

B. May: No. In my own case, I received in 1959 some modest outside donations, usually in the $25 or $50 range, from people who knew me and were concerned chiefly about women in politics. Most of these contributions came from friends in California. I assumed that other candidates through the years had received outside contributions, but not --

Morris: That's not on the same order as -- didn't you say it was reported to be about $15,000?

[Added to the transcript.]

B. May: $15,000 was widely reported as the minimum spent by the state real estate board -- an enormous sum at that time for a Berkeley election. I have no firm memory or reports on which to base an estimate of the total spent for and against fair housing. Full disclosures of campaign contributions before the election would

B. May: have clarified the voters' view of whose interests they were being asked to maintain -- those of the real estate industry or of Berkeley residents.

I doubt the usefulness of a ban on outside money or advocacy for local issues. No city is an island, isolated from the wider communities of state and nation. Berkeley accepts the cultural and financial advantages of being the site of the University of California, the California Schools for the Blind and for the Deaf, and for many federal and state agencies. In return Berkeley owes full civil rights and a safe environment for the workers and students who come from all over the world to use our institutions, who provide Berkeley jobs and sustain Berkeley businesses.

[Interview resumes.]

Morris: In addition to money from outside, my notes indicate that there were a number of people outside the city who spoke about the Berkeley fair housing ordinance.

B. May: Yes, there were. Of course, again, if we were going to be scholarly, we'd go through the clipping and quotes and find out who was talking about what. I'm sure some of those statements were solicited on both sides. The comments of our assemblyman, Byron Rumford, certainly no outsider, sustained us. The comments of the FEPC officers and the state committee on racial discrimination in California helped also.

Morris: In addition to FEPC?

B. May: Yes. This was a citizens' committee and they spoke frequently and forcefully.

Morris: I'm unclear as to how Jesse Unruh and Governor [Edmund G. "Pat"] Brown felt. They were working for additional state civil rights measures, and I was unclear whether that made them in favor of a local ordinance, or whether they were against a local ordinance. Were they visible in this?

B. May: Mr. Unruh said publicly that he regretted that Berkeley had taken this step and privately he said to Berkeley Democrats, when he saw them, that he thought we should have consulted ahead of time with him. We said that we had been consulting with Byron and that this was a community decision. We felt, as Mr. Rumford did, that Berkeley would be a test of fair housing, and so helpful. Governor

B. May: Brown warmly and steadily supported the Berkeley ordinance, in frequent press releases.

Byron did introduce his bill in the legislature in early spring of '63 and it passed, after the Berkeley election. One of the things that was said then, rather cynically, was that neither Art nor I had been defeated.

Morris: I was going to ask that question, but not cynically.

B. May: We lost the fair housing ordinance by 2,294 votes -- "For" 20,456, "Against" 22,750. Art and I both polled higher votes than "For" -- Harris 21,147 and May 21,080. Stripp and Dewey lost, Dan coming in fifth in the council race. Our re-election again showed the value of incumbency but Art and I also felt that it showed confidence in us and a willingness to have us go ahead with efforts within the city to reduce discrimination -- which we did, in less spectacular ways that we'll come to.

Morris: That was a pretty close vote.

B. May: And I have again, to supplement this history, the vote by precincts, two reports analyzing the votes, and then one analyzing the vote in Berkeley precincts in regard to a school bond election, which had been held prior to the '63 election.

Morris: Good. Who did those?

B. May: Mrs. Chamberlain, Mr. David Chale, Mr. Fred Cooper (for the bond election). In the area west of San Pablo and south of Dwight, with non-white residents in these census tracts ranging from 35 percent to 91.4 percent, the ordinance passed by 65 percent to 85 percent "For." The traditional pattern of single-shotting for black candidates was broken. The Negro candidate, Frank E. Clarke, got only 34 percent of the votes in this area. I not only beat him, but polled five hundred more votes than had been cast for Bill Sweeney in 1961.

Assemblyman Byron Rumford

Morris: Good. This question is out of context here, but I'm interested in Byron Rumford. He was elected from Berkeley as far back as '46. I'm wondering what this says about Berkeley and its voting patterns. Was he the first black man in the assembly?

B. May: Yes.

Morris: And he was not on the city council first?

B. May: No.

Morris: Was that a tough fight? In other words, we elected a black man to the assembly and then it was fifteen more years before Bill Sweeney was elected as the first black man on the council.

B. May: Yes. It would be interesting to have the opinion of someone who has viewed politics more systematically and longer than I to answer that question.* I would say that part of it was that Byron had and still has an exceedingly good political personality, that he was an effective hard-working campaigner. He had graduated from the College of Pharmacy and then had entered Cal Berkeley and was known in the campus community because he had been active in the student affairs at various times.

Byron and Elsie Rumford and one of their boys were the first black students who ever attended one of the informal Sunday afternoons that Professor May and I had for his students. We had a party for every class and black students took it for granted, apparently, that this invitation couldn't be for them. But the Rumfords came, looking handsome, with their darling little boy in a white suit and white shoes. He was the hit of the party. Everybody wanted to play with him.

Morris: Would this have been Bill Rumford, who is now on the city council, when he was a boy?

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*Consulted on this point, Margaret Gordon indicated that when Rumford was elected in 1946, the assembly district included a large section of north and west Oakland with a large black population, and did not include as much of Berkeley as in later years. Although Democratic groups backed Lionel Wilson for the Berkeley City Council in 1953, the combination of a smaller black population and the dominant Republican group's lack of interest in racial issues meant that a minority candidate did not have much chance of election until changes such as more decisive black leadership and increased U.C. graduate student population contributed to election of a liberal majority to the council in 1961. Ms. Gordon expands these ideas in her chapter in the book on Berkeley liberal politics in preparation by the U.C. Institute of Governmental Studies in 1975.

B. May: Bill or his brother.

Byron demonstrated at a very early age a real ability to get on with people. He had solid black and white support for all these years. It would be interesting to talk about his experience with D.G. Gibson, but he's gone.

Morris: Oh, dear! I'm sorry to hear that.

B. May: Yes. D.G. died this year [1974] and is greatly missed.

Morris: Yes, he was a great Berkeley institution.

B. May: Going back to the Rumford Act, somewhat reversed in the light of Berkeley results, it passed the legislature. I'm sorry to say that the next reapportionment looked like retaliation. Byron, who wanted to leave the assembly to let a younger man come in, had decided to run for the state senate. When the districts were reapportioned by the legislature, the two Alameda County senatorial districts were made one large district to elect two senators from one double district. It was roughly twice the size of other districts.

Morris: In other words, two people from the same end of the county could be elected under this new reapportionment?

B. May: Yes -- and were. Byron was not elected senator. That was the time that Holmdahl, an attractive looking, very blond person, was elected from south county.

Morris: Was there a question at the time of some irregularities in that election?

B. May: Yes. Mr. Rumford felt, and many agreed, that there had been irregularities in checking the votes. He paid for a recount. As you know, if you ask for a recount, you can stop it with any given precinct and you can choose the precinct in which to begin. He chose what he and others judged to be the most favorable precincts to show voting irregularity. The results were not sufficient to make it seem worthwhile to go on and have a larger recount made.

Election Results

B. May: I think that 1963 election was still hand counted in Berkeley. We had the usual Berkeley election night meeting to hear returns, this time in the Veterans Memorial Hall. But it may have been that our ballots for the Berkeley election went down to the courthouse and were run through the machines and then the results telephoned back to the Veterans Hall.

Morris: Was there a big turnout for that election night?

B. May: Yes, of course!

Morris: More than usual on election night?

B. May: Yes. It seemed a particularly vivacious one because, at the Veterans Hall, people can move around readily. They push the chair rows together and make space to talk. In the high school auditorium people get set in their chairs and don't mix.

Jack Hull had the ability as returns came in, to predict from what seemed like mighty few precincts -- just like Truman went to bed early but knew he was elected. In 1963, which we all knew was going to be tough, my niece and my daughter-in-law came down from Sacramento to hear the returns. At first I was absolutely at the bottom. Art was a little above me, but Art and I both walking along the bottom of the returns.

But my friend Jack Hull came up and said, "Bernice, you're elected!"

I said, "That's fine. Are you sure?"

"Oh, sure," [he said,] and this and this and this. "It's all right."

"Well," I said, "You see those two girls down there, sitting in this aisle? One's blonde and pretty and one's dark and pretty. Go down and tell them." They were surprised to have this stranger come up and say, "I thought you'd like to know Mrs. May's just been elected!" They could hardly credit it! He said, "Don't believe me if you don't want to. Just stay and sit here." But she was! But, of course, we all stayed till the last precinct was in.

Morris: What was the mood of that crowd?

B. May: Mixed. Art and I were very pleased to be re-elected. Dan didn't make it. We did retain our five-vote majority on the council, but we didn't capture either the mayor's seat or an extra vote.

Morris: That's an interesting sidelight on running in groups. Your feelings and hopes are tied not only to your own campaign, but to everybody else's too.

B. May: The advantage of it gives you a group to work with and it gives the city a majority and a loyal opposition.

Morris: On this fair housing issue, was there a loyal opposition? Did it leave any rancor that made it more difficult to work together, or to carry on the business of the council?

B. May: No, I can't say that it did. As I think I've said earlier in these talks with you, I was exceedingly fortunate in being a councilman at a time when people felt you had every right to disagree, but why be nasty? And they weren't. Joe Bort, for example, was elected at this time. He had opposed, but rather gently, the housing ordinance. He turned out to be a good ally in a number of fields, especially mass transit and environmental quality.

I think this was Tom McLaren's first go around. Tom McLaren had supported the ordinance. Tom and I were frequently in disagreement, but we used to hitch rides from one another. He was particularly interested in camps and recreation. He and his wife were and are great supporters of Cazadero Music Camp.

That makes three. Then, John DeBonis was re-elected.

Morris: And Wallace Johnson was elected mayor that year.

B. May: Yes. He defeated Fred Stripp. This was the beginning of his --

Morris: Incumbency as mayor. I've always been interested that, as far as I know, his first time out in politics, he went for the mayor's job and won it.

B. May: Yes.

Morris: Did he have a particularly good organization, or is he particularly a natural political talent?

B. May: I think he did have a good organization. For the first time, the Republicans had a precinct organization. He ran without a slate,

B. May: but he and others of his supporters had encouraged a woman, well known for her club and social agency work, Mrs. Edith J. Linford, to run. These were two interesting and contrasted campaigns. Mr. Johnson had been very active in the business life of the community. He's a forceful but good speaker and a very hard worker. He undoubtedly was known to many more people than Mrs. Linford, who ran as a Republican lady. In Berkeley the mayors frequently --

Morris: Just appear.

B. May: Yes. Laurance Cross and Dean Hutchison, for examples. Fred Stripp had run for council once before and had been defeated.

Morris: Did Mr. Johnson take a position on the fair housing issue?

B. May: He opposed it, not during its discussion, but during the campaign. However, he later supported many suggestions we had for removing other disadvantages to black citizens, though some he thought were a little fancy.

Morris: [Laughter] Was that his word or yours?

B. May: [Laughter] Both!

Afterthoughts
(Date of Interview: May 31, 1974)

B. May: Before we get past it -- one of the analyses of the results of the election points out that for the first time, I received, as a white candidate, more votes from South and West Berkeley than the only black candidate who was running for the council.

Morris: That was a man named Clarke, wasn't it?

B. May: Yes. Frank Clarke was attractive, well educated, and in a calm way supported fair housing, but blunted his efforts by saying that the council was only proposing fair housing to cover up its lack of action on fair employment -- a statement not taken seriously by the black community as the votes showed. He may also have thought that the time had not come for a fair housing ordinance, or that to set up legal provisions for enforcement was not the best route to remove discrimination.

B. May: This is a viewpoint which is still held among some younger blacks in 1974. Of course, some of the changes in the laws on civil rights have not produced dramatic results. Brown vs. Board of Education has been getting much publicity recently, at the end of its first twenty years. But most of this publicity strikes me as being unfair because it's based on Topeka, Kansas, and doesn't cover the progress, slow I admit, but still progress, which has gone on in many sections of the country, and progress which is chiefly impeded by housing patterns. Since we have not yet made much headway in eliminating racial discrimination in housing we lock many of our children into segregated schools because their parents do not wish them to go long distances from their homes.

We have to remember in Berkeley that we have an unusually advantageous situation for busing.

Morris: Because the community is only four miles square altogether.

B. May: It's only four miles square and we have, just as it chanced, white schools and black schools, hill and flat, and easily paired. The long period of public discussion made the citizens aware of and willing to support with tax money other school improvements at the same time, such as smaller classes, teacher training, and the efforts by PTA and the league and other organizations to discuss the impact of discrimination on a community. All of these helped.

Perhaps it was bad judgement in regard to communicating with citizens that we felt strongly that we should enact a fair housing ordinance before the election in '63, so that the new council members -- two new and one re-elected; Kent, Brown, and Sweeney -- would be able to carry out their campaign pledges as rapidly and dramatically as possible.

Morris: When you were working on getting the ordinance passed by the council, did you expect there to be a referendum?

B. May: We thought that there might very well be. But we thought that this would test the proposal if opponents were able to secure the signatures. Because Berkeley had seemed to express so much general goodwill toward an integrated community, we underestimated the latent racial discrimination that has since expressed itself a number of times in Berkeley: "Let's all be brothers, but not on my block!"

Morris: Let me ask you a really hypothetical question. If the state real estate board and some of the other outside groups that got involved in the Berkeley fair housing had stayed out of it, do you think the outcome would have been different?

B. May: Yes, because they had $15,000 as an initial sum allotted to fighting the Berkeley proposal.

The real estate industry felt if they could beat fair housing in Berkeley, they could beat it anyplace. This turned out not to be the case in the state legislature. The opposition were able to frighten many property owners by emphasizing that the value of their property and property all over Berkeley would drop, and with the misrepresenting of the misdemeanor penalty, which was always spoken of as if $500 fine and six months in jail would be meted out to anybody who didn't rent to the first Negro who made an offer. The ordinance was so written that the landlord or owner could refuse any offer on the same grounds that he would have refused an offer from a Caucasian -- lack of credit, too many children, any other requirement which he was enforcing against white applicants.

Morris: What kinds of latent discrimination were you aware of?

B. May: These two which we've just spoken of, which were put forward as reasons, and also discrimination on an emotional basis. It's an entirely different situation to support in general terms equal treatment than to be willing to face having neighbors with whom one may feel uncomfortable. I think the no-sayers would only feel uncomfortable for a short time, but they don't think so.

I found, and I don't know whether you have that in Bancroft or not, a very good account by Thomas W. Casstevens, though I don't always agree with his comments, on the ordinance and its defeat.* It's a wrap-up of how the ordinance was formulated and there is comment on the campaign. As you'll see, I'm one of the people whom he interviewed and later I read the draft for him.

Although I agree with many of his comments, Mr. Casstevens, I think, assumes academic leisure and much free time for Berkeley councilmen and other politicians -- time not available off campus.

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*"Politics, Housing and Race Relations: The Defeat of Berkeley's Fair Housing Ordinance," Thomas W. Casstevens, Institute of Governmental Studies, UC Berkeley, November, 1965.

B. May: He also joins Mr. Burnstein and perhaps other critics in placing mayor responsibility directly on the council fine for the campaign. Where was Burnstein before April second? As I remember a contributor and well-wisher.

Casstevens quotes only whites as thinking a "weak" ordinance would have passed. I disagree. An enforceable ordinance was what Berkeley's black community had faith in and wanted. Black Democrats remembered -- as my substantial vote in South and West Berkeley in 1967 showed.

Morris: Was Mr. Sweeney discouraged about what might be done in the field of race relations after the defeat of the ordinance?

B. May: No, I would say that he wasn't for the long run; but tremendously disappointed election night. Many of his supporters in his '61 campaign had worked very hard and were desolate. That night I went to a number of meetings in -- I always find it hard to pick the proper title.

Morris: West Berkeley?

B. May: Yes, in South and West Berkeley. We stood and cried and then they would give me a cheer and then we would all cry again. I never will forget how many were able to -- at least those who said anything were able to rise above their deep disappointment and say, "We expect you will do something anyway."

Morris: That's a marvelous spirit.

B. May: That was the immediate reaction, though I think it added to the bitterness, which was not yet beginning to show its later violence, and contributed to the feeling of separatism, which is one of our problems today.

XI WORKING TOWARD AN INTEGRATED CITY

B. May: But, going back to 1961, our three got this fine reenforcement -- Jack Kent was re-elected and we had two new members to bring us up to a majority of five. We began, even while we were working on the fair housing, to see what other ways we could bring about more of a racial mix throughout those areas that the council could influence directly. I think this racial mix came in city affairs much earlier than among volunteer organizations and set a new standard.

When I was elected in '59, there were no elected officers who were members of a minority in Berkeley. After the election in '61, we had a black councilman, Wilmont Sweeney, and a black member of the board of education, Roy Nichols, both of whom had been concerned with the lessening of discrimination.

Citizen Appointments

B. May: Other, less spectacular, means of lessening discrimination, which the council had begun to work on, first at the urging of the minority of three and then with more steam after the '61 election, had been met, we thought, with much voter approval and certainly no protest that I ever heard.

One of the more peaceful attacks on discrimination was in regard to citizen appointments. In 1951, there were fifty Berkeley citizens serving on boards and commissions, only two of whom were blacks. Seven were women. During '61, there were a hundred and seven citizens on boards and commissions, the increase being due to the urban renewal discussion then going on, which required several large citizen committees. Of these hundred and seven, twelve were black or Oriental and twenty-three were women.

Morris: That's really a remarkable shift.

B. May: This was the beginning of a shift, which continued, so that it became routine to consider ethnic background, just as we had always considered geographical spread in the city; we now included areas that simply had not been considered before.

Morris: Did you get much argument from the other members of the appointments committee when you suggested that there be an increase in minority and women -- ?

B. May: This leads me to a discussion of the appointments committee. Up to the time when we achieved a strong liberal representation on the council, appointments had been made by whoever was the leader of the conservative side, very often but not always the mayor,

B. May: and the council accepted his nominations. When we had three minority members, we argued that there ought to be an appointments committee with two representatives of the majority and one of us. This, after some talk, was agreed upon. The policy which we tried to sell the committee and the council was that appointments should be made on a bipartisan basis, that the conservative group should name their best leaders and that the minority group should nominate for one-third of the vacancies. It was a little difficult to find acceptance for this, but we did succeed in getting some appointments.

But when we had five votes, we reversed it and had the majority on the nominating committee. Then we did say to them, "Now, if you're going to be the loyal opposition, you ought to name the people who you think can represent your viewpoint fairly."

Morris: And, "You can have one-third of the vacancies that come up."

B. May: Yes. "You can suggest those." Now, this didn't keep either the committee or the council, which in the end makes all appointments, from saying from time to time, "Why we just can't bear him! Come again!" But it did mean that there was, if they cared to exercise it, a line of communication on boards and commissions from both viewpoints. I think that's quite well illustrated in the committee that the council appointed on discrimination in housing. So, this was part of the push that went on on those appointments that the council controlled.

Minority Recruiting and Employment

B. May: Perhaps, since we're going to talk about the efforts towards integration throughout the twelve years on which I'm to report, we might skip ahead at this point and say that when, in 1966, John Phillips resigned as city manager and went to Pasadena, one of the requirements for his successor that the council set with a high degree of council support, was that persons interviewed for the city manager job be told that we expected to achieve a higher degree of integration in the city staff. We would expect him to act in solving the problems of the introduction of more blacks and Orientals into the various departments as employees.

So, when William G. Hanley was appointed city manager and came to Berkeley in '67, part of his clearly delineated assignment

B. May: was to see to it that the staff appointed under his supervision should give equal opportunity and equal effort in recruiting. Mr. Hanley was willing and interested in doing this.

The effect of council interest in an integrated staff had already been felt under Mr. Phillips, but not with the same sense of: This is one of the standards on which I am going to be judged. However, there had begun under Mr. Phillips and was continued under Mr. Hanley, one of the most significant efforts that the city made. This was the enlistment of the interest and the recruiting abilities of the then personnel director, William Danielson. He showed as his top assistant a well-trained black, a graduate of the University of California, as the assistant personnel director. When, later, Mr. Danielson received a good offer from the county of Sacramento, Clift Hilliard was appointed by Mr. Hanley as the first black personnel director of a city of Berkeley's size in the state. This was an early breakthrough.

Later, when Margaret Gordon was elected to the council, her experience on our own Personnel Board and in her job with the university in labor relations enabled her to give some very practical suggestions in this field.

Amont the changes that the personnel department began under Mr. Danielson and finished under Mr. Hilliard were these. We had, early in the '60s, a complete review of the job descriptions and examinations in Berkeley.

During the Depression, there had been a tendency to add educational requirements and, I often thought, to add technical language in the hope of cutting down applicants for jobs. During the '30s, I'm told that the City of Berkeley frequently had as many as 2,000 applicants for two or three blue-collar jobs -- beginning gardeners, for instance. One of the ways to cut the numbers to be processed down was to increase the qualifications and the difficulty of the examinations.

Morris: And nobody had done anything about it for thirty years.

B. May: Not in Berkeley. A small city usually does not write its own tests, but buys them, as do many large cities.

Hilliard and our staff went over these and rewrote the job qualifications in English rather than officialese and then worked with various firms, producing tests, especially for entering

B. May: positions, which did not involve official language or knowledge of anything other than that particular job's requirements. We felt that this was a large step forward.

Later on, at the city's suggestion, there were courses on test taking in the adult school. I don't really know whether those courses were successful or not, that is, in the sense of having an ongoing enrollment.

Morris: Were these given by the city?

B. May: No. They were given in the night school, Berkeley High Adult School, in how to take employment tests in general, with emphasis on both interview and written examinations. You know, there's a technique to passing examinations. Many of us acquire that in school without ever thinking about it, but many people, and particularly away from the school atmosphere, do not. We probably did this after Peg Gordon was on the Personnel Board, as she felt it was so important that she had her two sons drilled in how to pass various types of examinations.

Morris: How practical of her.

B. May: Oh, that girl's nothing if not realistic!

I never knew anybody who was better organized than Peg. Both her sons are as smart as can be and very articulate, but she sat them down and went over such things as the percentages in true and false, and on what kind of examination it was profitable to guess and what kind you'd omit guesses and spend your time on the questions you do know.

At the same time, the city was changing recruiting tactics with a much wider use of the media that reached black and minority communities, advertisements in --

Morris: The Post and the Voice?

B. May: Yes. And the Sun Reporter and other media that were distributed to or used by black communities. It was a serious recruiting problem to get information to black men and women that we did want to hire them, if qualified.

Morris: In your files, I came across a report that was done in December of 1961 when you asked John Phillips, who asked

Office of the
CITY MANAGER

CITY OF BERKELEY

CALIFORNIA

JOHN D. PHILLIPS
CITY MANAGER

December 20, 1961

To the Honorable Mayor and
Members of the City Council

SUBJECT: STUDY OF RACIAL ORIGIN OF CITY EMPLOYEES

A few days ago Councilman Sweeney requested that we determine and compile information to indicate the racial composition of personnel in the City service. This has been done, and a copy has been furnished to Councilman Sweeney.

However, I believe this matter will be of interest to all members of the Council and therefore, I am sending a copy of this report.

John D. Phillips
City Manager

Attachment:
Memorandum from Wm. F. Danielson, Director of Personnel
on Study of Racial Origin of City Employees

NUMBER OF EMPLOYEES BY RACE AS OF

December 14, 1961

DEPARTMENT	Number of Employees	Negro	Oriental	Span Amer.	Other (Inc. Amer. Ipd.	Caucasian
(Career Employees)						
AUDITOR	9.00					9.00
CITY MANAGER	5.50					5.50
FINANCE	60.00	12.00				48.00
FIRE	183.00				1.00	182.00
LEGAL	4.00					4.00
PERSONNEL	7.00					7.00
PLANNING	11.16					11.16
POLICE	148.00	2.00		1.00		145.00
PUBLIC HEALTH	48.84	4.00	1.00			43.84
PUBLIC WORKS	131.50	35.00	2.00	3.00	6.00	85.50
RECREATION & PARKS	80.00	13.00	5.00	1.00		61.00
SERVICES	97.50	65.00	1.00	2.00		29.50
MAYOR & COUNCIL	.75					.75
TOTAL CAREER	786.25	131.00	9.00	7.00	7.00	632.25
PER CENT OF TOTAL	100.00%	16.66%	1.14%	.89%	.89%	80.42%
TOTAL NON CAUCASIAN	154.00					
PER CENT	19.58%					
(Non Career Employees)						
AUDITOR	3.00					3.00
FINANCE	1.00	1.00				
PERSONNEL	14.00					14.00
POLICE	5.00	2.00				3.00
PUBLIC HEALTH	48.00	3.00	3.00			42.00
PUBLIC WORKS	4.00	1.00			2.00	1.00
RECREATION & PARKS	68.00	13.00	3.00		2.00	50.00
SERVICES	25.00	19.00		1.00	1.00	4.00
TOTAL NON CAREER	168.00	39.00	6.00	1.00	5.00	117.00
PER CENT OF TOTAL	100.00%	23.21%	3.57%	.60%	2.98%	69.64%
TOTAL NON CAUCASIAN	51.00					
PER CENT	30.36%					
TOTAL EMPLOYEES	954.25	170.00	15.00	8.00	12.00	749.25
PER CENT OF TOTAL	100.00%	17.81%	1.57%	.84%	1.26%	78.52%
TOTAL NON CAUCASIAN	205.00					
PER CENT	21.48%					

Morris: Mr. Danielson, to do a review of what the racial mix of the city personnel was.* Did you get a dispensation from the FEPC to do that?

B. May: We let them know about it, but it was done as a visual survey, so that --

Morris: Nobody had to write down that So-and-So and So-and-So were black. A chart in the report showed that the finance department had twelve Negro employees out of a total of sixty, which is much higher than any department except services and park and public works. Did this represent a particular effort in the finance department?

B. May: Yes, it did and is an example of how a convinced supervisor, William Hunrick, assistant city manager, took the council seriously and agreed with the policy. He ran a department which did have a number of jobs which required clerical experience, but not stenographic skills, and also jobs related to the city's growing use of computers and the computer equipment purchased from time to time. For these jobs you could train at work. But the chief reason lay in the interest of the supervisor. He looked out for the new people coming in and made everybody comfortable at work.

Finance also had an advantage which the police department, for example, didn't have. Computer staff, if they turned out to be superior workers, were not likely to be hired away. One of the great difficult pushes in recruiting that the personnel and the police departments carried on was the effort to get more black officers.

Morris: What did you do about that?

B. May: They recruited and talked. They went to the various campuses. Berkeley's requirements are high for policemen, one of Chief Vollmer's first principles. But almost any enterprising young black man in this period who had two years of college and all of the other requirements for a policeman didn't have much trouble getting a job. As someone said, "If you'll show 'em the picture, they'll hire you."

But that's not the worst of it. If he did want to be a policeman, and worked through his probationary period of two years,

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*See also "Employment Opportunities for Members of Minority Groups in Berkeley," citizens committee progress report, November, 1958, in Mrs. May's papers.

B. May: showing that he had the temperment as well as the physique and the brains to be an officer, the FBI or some large company with a security problem would offer him a better salary -- the kind of salary that the City of Berkeley could not meet, and so hired him away. One of our present councilmen, William Rumford, Jr., was a Berkeley policeman and, I've always understood, a good one. But he was hired away and is now chief of BART's security staff.

I'm sure it's good to have him aboard as a councilman, but the police department would have liked to have kept him some years back.

Morris: He should be a particularly useful councilperson in liaison with the police department, I should think. Or possibly the other way around, interpreting the police department to the council.

B. May: Yes, to the council and to the community, because there is a great difficulty here. With the police department, as I've often thought with other city departments, there should be more emphasis on the training for change in community service.

Morris: Yes. About 1967, a police aide program was started. Now, was that an idea to make it easier for black people to qualify for the police department?

B. May: This was a suggestion made, as I recall it, by Chief Bruce Baker and the police department and adopted with enthusiasm by the council. It was a program in which we could recruit boys in high school, eighteen years and older, to do clerical and other tasks in the police department, with the understanding that they could work part-time as they completed their college education, and be paid an aide rate.

City Contracts

B. May: One of the most unusual, because it was so early, projects that was brought forward to see to it that the city exerted influence over fair employment was the fair employment requirement in city construction contracts, which began in '67 or early '68 under the planning and leadership of City Manager Hanley. Berkeley's antedated federal programs requiring that contractors doing work for a governmental agency demonstrate that they were fair

B. May: employers. First a committee was formed -- even city managers have committees in Berkeley! [Laughter] A committee largely of attorneys, because this was a moot question.

Among those who served on it was the city attorney, Robert Anderson. Another member was Professor Ira Heyman of Boalt Hall, who was particularly concerned because he was an active member of the new Human Relations and Welfare Commission.

Inserts were added to the forms calling for bids on contracts of more than $3,000, stating that the city would grant contracts for major construction only to those firms with a prior plan for fair employment. This meant that the low bidder, who would normally get the contract without any further to-do, would confer with the city manager and submit his current employment by racial groups. If he needed any additional employees to carry out the contract, he stated how he proposed to get them and what standards of fair employment he would be willing to enforce. If his plans seemed reasonable, the city manager would present the contract to the council and report on the fair employment plan, just as he called our attention to anything else of interest in the bid -- the timing, any changes asked or suggested and so on.

The process didn't stop there, because the contractor was notified that the work in progress was to be inspected as usual by the city inspectors who also would check visually on the composition of the work force.

This was prior to the federal program, and after the federal program was announced, it was modified slightly.

Morris: I remember listening to a fascinating discussion in the council chambers in which a number of contractors talked to the point, "Didn't the city of Berkeley feel it could wait until federal and state guidelines were set up because, after all, this was in the works?"

B. May: Yes, it was in the works. But, as usual, we didn't know when it was going to come off and we were willing to adopt ours right then. The contractor signed a memorandum of understanding after his conference with the city manager, so that it was perfectly clear to both sides what they had accepted and what they intended to do.

Council Discussion 11/28

Office of the
CITY MANAGER

Adopted 12/5/67 as amended on attached copy

City Manager Report No. 67-50

Date September 13, 1967

Subject **PROPOSED REVISION OF GENERAL PROVISIONS RELATING TO NON-DISCRIMINATION IN EMPLOYMENT BY BIDDERS ON CITY CONTRACTS**

To the HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

In response to a request from the Human Relations and Welfare Commission the City Council directed that we explore possible legislation designed to provide for more effective controls governing non-discrimination in employment by bidders on City contracts.

After extended analysis of the problem in conjunction with Mr. Henry Poppic, Chairman, and Mr. Michael Heyman, Member, Human Relations and Welfare Commission, and the City Attorney, it was concluded that the most effective means by which this objective might be achieved would be through amendment of the general provisions which are included in the specifications for all city contracts. Attached is a copy of the proposed revision of these general provisions which provides for a system of pre-award conferences with the apparent successful bidder on all City contracts involving $25,000 or more.

The purpose of these pre-award conferences would be to develop and agree upon a program of affirmative action to be undertaken by the apparent successful bidder as well as his subcontractors to provide equal employment opportunity. By use of such a procedure it is believed that more specific and individualized steps can be taken toward improving equal employment opportunities.

You will also note that failure to participate in such a pre-award conference, or failure to present any program of proposed affirmative action, or failure to carry out a proposed program of affirmative action may result in the City Council declaring such a bidder to be an irresponsible bidder, ineligible for further award by the City for a period of three years.

Finally, it should also be noted that inclusion of these additional requirements in the general provisions of the specifications does not require adoption of an ordinance by the City Council. It was, however, your original request that when a proposal of this kind was ready for consideration that arrangements be made so that contractors, labor union representatives and other interested citizens might have an opportunity to discuss the proposal with the City Council.

Therefore, it is recommended that the City Council set a time at the earliest convenient meeting at which the proposed addition to the general provisions of the City's standard specifications might be discussed with affected and interested firms, organizations and individuals.

William C. Hanley
City Manager

Attachment

CITY OF BERKELEY

O William C. Hanley, City Manager DATE January 21, 1971

ROM Paul H. Williamson, Director of Social Planning

UBJECT: AFFIRMATIVE ACTION (Composition of Work Crews)

November, 1970

	Caucasian	Black	Spanish Surname	Other Minority	Total
Laborers	6	11	4	2	23
Teamsters	8	2	3		13
Operating Engineers	6	1	4		11
Concrete Workers	3	7			10
Pipe Layers			2		2
Totals	23	21	13	2	59

Employment statistics generally seem to indicate that a slightly better and more equitable utilization of manpower is being developed. Further, that some crafts hitherto closed to minorities are beginning to show positive changes in minority membership.

Most improvement has been noted among the Teamsters and Concrete Workers. The Laborers locals continue to remain predominately minority.

The Alameda County Affirmative Action Program, which is directed toward union composition and which has the agreement of the Alameda County unions as well as minority representatives from poverty organizations and others, may have a more noticeable affect on the work force statistics.

B. May: I'm sure this did not revolutionize employment, but it did mean that when a work crew was tearing up your street, you could see that it was an integrated force.

Morris: I was wondering if it had any effect on the number of bids on a given contract, of if you ran into contractors who were not willing to commit themselves to fair employment, so that you then had to go to the next higher bidder?

B. May: As far as I recall, we didn't meet that situation. A city with a competent city engineer has an advance estimate on the job, which the council has seen and heard, so that they know that they have money enough in the budget, or else they're going to have to shift funds.

Morris: So that you have a working idea of what kinds of bids are going to come in, what it should cost to do this particular job?

B. May: Yes. A city has the right to reject all bids for being too high, then revise the specs, and try again. Many elements of the kind of construction that a city does can be checked, you know -- the cost per square feet for paving or building it, whatever.

Morris: We've been talking about this in terms implying white contractors. Were there any black contractors bidding?

B. May: Yes. And there was a black contractors' association which supported the move. This is not to say that the white contractors fought it. They just would have liked to delay it a while.

Morris: Would this work the other way around, then, that a black contractor would be expected to hire some non-blacks?

B. May: I think we had not got to that point. If he came in with an all-black payroll, I think at that time we would have accepted it. Today, with the understandable backlash of white feeling in regard to many jobs, we might question it.

Morris: We're also in a condition of much greater unemployment than we were ten years ago.

B. May: Yes. This was a move that, as I recall it, caused very little stir and seemed to go in quite smoothly.

Contractor and Union Response

[Mrs. May later talked with Martin Dabel of the city Department of Public Works and recorded these additional comments a week later. Documents referred to are in Mrs. May's papers.]

B. May: Now, I have a file of material on this. It begins with '64, when, under the council's pressure through the city manager on department heads to consider what they could do towards better feeling and more practical results. The Department of Public Works began in 1964 to add a paragraph towards the end of their blue sheet calling for bids to point out what active steps could be taken to recruit minority workers. The Public Works Department, in handling bid inquiries and in their interviews with the bidders, began saying that fair employment was a city policy and should be considered.

Then followed a series of changes -- the change adopted in '67 and subsequent changes to take into consideration the federal requirements that came later.

Morris: These would be various changes made in the city charter?

B. May: These were changes made in the bid specifications, which the contractor got. The city charter needed no revision because it says no discrimination. It took only the direction of the city council to the city manager to implement this. But he and the city attorney did (it was a revolutionary step in a small way) expand the content of those specs -- and maybe I should underline those sections.

Morris: They're 701.5 and after the change that was made in March of 1970, it becomes section 701.6. By then it is quite detailed. It's then four paragraphs regarding non-discrimination.

B. May: There is a section of the minutes which I think is relevant, covering the discussion with the Contractors Association and others. [Hands interviewer minutes.]

And Mr. Dabel, a good and loyal friend, has underlined Mrs. May being firm.

Morris: She thought the provisions were too weak?

B. May: Yes.

Morris: Good for you.

B. May: The joke of that is all the protest came ahead of time and the city has never had to use the power to refuse bids that we reserved to ourselves. It's an example of putting a penalty in so it's clear you mean business.

Morris: Yes. You mean that the contractors all complied and there was never really any need --

B. May: They complied, or else they didn't bid. The reason we wanted to pass this at an early date was because we had three or four large contracts coming up. As I think the city manager says at some point in the discussion, "Right now the street and sewer contractors are hungry and we ought to get them in on these large bids."

The action begun informally in '64 was applied only to contracts of $25,000 or more, whereas under the formal procedure passed in '67, it was applied to all street and sewer construction contracts.

Now, here's the Berkeley Gazette on the subject. [Shows interviewer copy of Gazette.]

And here's a hiring report and then a later report in '71 on progress by Social Planning and a more optimistic one by the director of Public Works. Then, the last item Dabel sent at my request was an information report to the incoming council in '71. I think that's a fascinating file.

Morris: You really made quite a lot of progress through the years, in opening up the employment situation.

B. May: Yes. One of the comments Mr. Dabel made when I was talking to him about it was that only one city had to do this, that once these men were hired and integrated into a crew, it was the usual practice of the contractor to take the crew right along to his next job. Though the number of contractors is not very large, they do most of the work in the East Bay.

There are five major street work contractors and ten major sewer contractors, "all lily white," he said, in 1964. Some of them protested about the on-site inspection that was being carried out, which is the way we knew whether or not the plan was being followed. By 1971 Mr. Dabel felt that work force for all fifteen contractors were integrated. And, as a few years went

Housing Improvements: Rent Supplements and Code Enforcement

Morris: Was there anything that the council could do or move to do in regard to housing that would relate to the minority community?

B. May: Yes. The council established a new position when the discussion of BART began and the council still hoped to persuade the BART management to plan a wide right-of-way through Berkeley, except for downtown where we had earlier on persuaded them to make a subway. If a wide corridor for BART, with a linear park on each side and tree-planting to absorb noise and so, had been adopted, it would have removed much housing in Berkeley. There was also at this same time the beginning discussion of an industrial park for Berkeley.

So, we established a new position, a relocation officer, who worked with any family who would have to move because of city construction or other action on the part of a governmental agency in Berkeley. The Personnel Department found a competent young black woman, who did an excellent job. When she had time she also would help with suggestions anybody who came into her office. She would help in relocating people who were being put out of their homes -- either rented or owned. Sometimes these people had to be relocated outside of Berkeley in a neighboring community, but, for the most part, they could be relocated, one family at a time in Berkeley.

Another effort, which also relates to the need for housing replacements in Berkeley, was the city's use of two federal programs. One was the program under which federal funds are provided as a rent supplement to the housing agency, which Berkeley had established in the '60s shortly after urban renewal had begun. Under this program families who cannot house their family decently at the current rents were, after investigation, placed in regular housing with the federal money paying the difference between what the head of the household can pay and the going market value of the rent.

Rental property must meet the current code requirements of the city, so that Berkeley got a substantial return on its efforts in placing and supervising the rental collection by having many apartment houses and single family houses brought up to code. The last time I checked statistics on that, a substantial number of placements had been made. This spread the placements of minority families among white families because you cannot discriminate in this project.

Morris: Did this involve black families being placed in homes in every residential-zoned tract in Berkeley, do you suppose?

B. May: I doubt that because, after all, there are restrictions on the total rent that the federal agency will pay. So most of the placements were in the flatlands west of Telegraph, and it has probably had little effect on the very high-rent areas which are immediately around the campus in the hills, and east of College. It has been a great service to low income people and this includes elderly persons as well as those with families. A requirement or standard providing that black families be placed in every residential zone strikes me as a new form of discrimination and restriction of free choice.

A second federal project which made the minority districts more likely to attract white and other races -- the flatlands again -- was the San Pablo code enforcement project, FACE, under which the federal funds supply loans within financial limits for bringing structurally sound houses up to modern code. This practically always involves rewiring, because our habits have changed. Maybe now in a power shortage we're going to give up some appliances and the wiring won't wear out so soon. But there was unbelievable wiring in some parts of Berkeley because the people hadn't been able to spend the money replacing it. The loans at three percent were a great help.

Morris: Does the government guarantee the loans, as in the federal mortgage programs, or was the money actually given to them to do the work?

B. May: This work is done under the auspices of the Berkeley inspection department who manage the funds.

Morris: The building inspection department rather than the fire inspection department?

B. May: Yes, fire inspects only for fire code violations. Inspections covers the building codes. These FACE funds are directly allocated by HEW through the inspection department. Several local banks were willing to give additional loans at a low, but not quite so low, interest.

The program was difficult to interpret to some home owners because they feared that if they applied and their home required more rehabilitation than the available funds would permit, they would be subject to enforcement of the code to the point where their house might be demolished. This,

B. May: of course, might have happened, but not so far in Berkeley where inspection has been good. On the plus side, owners would then also paint the houses or make other improvements.

Morris: Has bringing things up to code in a neighborhood been reflected in an increase in tax assessments?

B. May: I doubt it. That kind of improvement is not like a new garage or an added room. Just from my own experience, my assessment has not been increased or decreased according to whether the house was painted or not painted or wiring replaced. But if we wanted to pursue that, we should check with either the inspection department or the county tax assessor.

So these are a variety of ways in which the council did attempt to establish a feeling in Berkeley that we were seriously aiming at an equal opportunity city.

Economic Opportunity, Model Cities and Ad Hoc Organizations

B. May: I think it's only fair, however, to put into the record that at the same time that this effort was going on, there was an increase of pressure upon the council, largely from black groups who felt that they had a special interest or a special grievance. It was during the same period that the EOO projects began. In the view of the city, more money was spent on jobs within the organization and not a great deal of it went out into the community for projects of lasting value.

Morris: Service to a number of people in addition to those employed?

B. May: Yes. The staff, particularly the people who were designated as community workers were to be trained and moved on to other positions. These positions did not, to any great extent, materialize.

Morris: You mean that after being trained as a community worker by EOO, it was expected that those people would move on to jobs in other agencies or in private industry?

B. May: Yes. And what these jobs would be didn't become clear. While some workers moved out on their own initiative, many of us felt that this had not been a profitable experience and eventually it was discontinued. This was followed by the

B. May: Model Cities plan, which I think is doing much better, though up to the time I left the council it was still going ahead slowly. Nevertheless, if there is eventually a real impact on the community, the length of the time needed to gather experience and planning ability may be worth it.

Morris: Do you think that it's been better for Model Cities and the Economic Opportunity Organizations to be completely independent from the city?

B. May: No. I think the city's restraint on financial transactions and their requirement of a budget expressed in dollars and cents and understandable terms was and is necessary for tangible results.

Morris: The Economic Opportunity Organization as it was set up in Berkeley was completely independent from city government, wasn't it?

B. May: No. It wavered back and forth. It some times had council representation on the board. To begin with, there was representation from other segments of the community; none of these seemed to work out in the sense of clearly defined objectives which it was possible for them to realize, whether through inexperience of their staff and board or for whatever reason.

Morris: In other words, it did not come out as the original legislation indicated that it would?

B. May: No, not in our view. As you recall, it was eventually discontinued.

Morris: After several reorganizations and complete changes of boards and staff.

B. May: Much of this went on in Berkeley. I speak from their reports to the council, which were always, "Hurry up! This should have been in Washington yesterday."

Morris: So, your observation was that people were looking for jobs for themselves and their friends rather than --

B. May: If it had been a Chinese project, I would have said jobs for their cousins. This was the impression one received and there were few if any visible results in the community. As I said, I'm more hopeful now about Model Cities, which has attempted to maintain a more solid relationship with the city and to

B. May: develop a broader concept of planning.

Another development in the relationship between the black community and the city was represented by the proposal of the black community around Ashby and Adeline that the station be an underground one, rather than an above-ground, visually noticeable station such as had been planned for all the stations in Berkeley. This dispute took place after the decision had been made to underground BART throughout Berkeley, which we'll talk about later, under the plans for the lessening of the environmental impact of BART. In those plans it had been supposed that an above-ground station would be acceptable and useful as a direction to travelers wishing to know where the train stopped. But many Negroes felt that this would be a further barrier between blacks and the predominantly white community.

When BART refused to consider this request because, they said, we'd gone through a long period of negotiations and plans, and the plan for the above-ground Ashby station had been circulated at the time of the bond issue to underground the tracks. They were not willing to change. The result was a black citizen suit against BART and the city which the plaintiffs won. So, the new set of plans were devised.

As a bit of irony there, it does decrease the effectiveness of the station, which you do not see at all.

Morris: There's just sort of a large bomb crater of a parking lot.

B. May: Yes. But it certainly assisted the city with the difficulty of rerouting automobile traffic. It was possible to widen the street and create much more traffic room for people dropping passengers off for the station. But I'm mentioning that here simply as an indication of how difficult this period was and how, no doubt, many of the things which the city did influenced and benefited individuals, but perhaps did not have as lasting an impact on the feelings and viewpoints of Negroes and other minorities as we had hoped.

Morris: There also seemed to be many sudden changes of neighborhood opinion. While you were talking, I was thinking of the Columbus School neighborhood. At one point, there had been a planning study regarding park space around that school to be used jointly by the city and the school. Then, about two or three years later, the plan was opened up again because there was now money to do it and the same community objected strongly to the plan that had looked good two years before.

B. May: This I really do not think is a black/ white reaction. It's another example of one of my observations during my years of being a councilman: There is no one who has a stronger conflict of interest than a property owner. He would like children to have a playground, but not on or near his property. Any park in the neighborhood of Columbus will involve buying some homes. The only way you can do this without real trouble is to do what the city has done in regard to the Willard park. There was the same kind of agony and weeping and protest.

There was at that time a completely white neighborhood around Willard, but we couldn't secure the land from the then owners. We had to wait until people died or went into rest homes and, in this period of transition, either had to or were willing to sell the houses. The city then rented them out until we got enough land to make the park. Even then, we didn't get as much space as we needed and paid higher prices every year. But nevertheless, a park has resulted.

Morris: Are you saying that when there was a neighborhood issue that you had a greater amount of contact from citizens than when it was --

B. May: No. What I'm saying is: when your house is going to be purchased for a public purpose, you are likely to be down at city hall screaming. If a neighbor's house also is needed for the park or the fire house or whatever, you will have the owner of that property there screaming. The property owner's feeling that <u>his</u> property is a sacred right was a factor in community life that we talked about earlier in the defeat of the fair housing ordinance. It's the same all over town. It doesn't make really any difference what you're going to do with the property. Most people are not willing to have any public facility located on their block because it will make noise or dust or house too many meetings or loud singing or the children who will scream in the playground. The property owner protests faster than anybody.

I think this conflict of interest factor should be pointed out. When the Milkdrivers Union makes a contribution to a candidate, that, no doubt, is going to affect decisions. I think the public should at least be conscious of the property owners' conflict of interest as well.

(Date of Interview: June 10, 1974)

[The beginning of this interview was moved forward, as the section "Contractor and Union Response," for continuity of topics.]

Park and Recreation Planning

Morris: In one of our earlier interviews, you said that you thought that there was resistance to the idea of integration that cropped up when there was planning going on for new parks.

B. May: Yes. The discussion and defeat of the fair housing program helped to make us more conscious of the depth and intensity of the existing racial discrimination in Berkeley. I know it was often said, "Well, we want Negroes to have good housing, but not on our block," and this, we found, also related to parks.

One of the efforts made by the Parks and Recreation Commission as part of the push towards an integrated community had been to make the parks attractive to a wider variety of users, family groups, senior citizens, blacks, and what have you. One of the early plans in considering large parks had been to relieve San Pablo Park, our largest, from the burden of accommodating all of the --

Morris: Baseball players in town.

B. May: All of the junior baseball teams in town. Everybody came down to San Pablo and practiced there. Everybody played their games there. San Pablo was very hospitable about it, but it meant, what with the tennis courts and the basketball courts, which were greatly used by the San Pablo neighbors, there was no room for even a few outdoor tables for chess for seniors. There was no room for family picnicking and this was in a neighborhood where it would be fun to move out of your small home to barbecue or picnic.

San Pablo was an exaggerated example, but there were others. So, one of the things that was done was to set up a junior baseball fields in the hill parks with two things in mind. We thought it would be a good idea to have the youngsters see more of their city and to be up on the hills. We thought with that introduction, black families would be encouraged to use some of

B. May: these lily white parks.

Morris: Once they found they were there.

B. May: Yes. Transportation was no problem as far as baseball groups were concerned because sponsors usually brought them. So, even the parks that didn't have bus service, like --

Morris: La Loma up there in the quarry.

B. May: Those parks could be used. The place that we got into trouble was the place you would, or I did, least anticipate. It was with Codornices. In getting more play space for Codornices, which was and is a beautiful natural park devoted largely to bird walks and nature study and picnics, we were able to secure, at a low price the city could afford to pay, land from East Bay MUD.

They were about to cover the Codornices Reservoir to avoid pollution. Someone was bright enough to suggest that they make the reservoir deeper, pull it back further from the road, with less roof for people on higher hills to look down on. EBMUD also were planning to have walkways and plantings on the top of the roof to break its expanse. This plan would be facilitated by the city's buying the unused land.

So it was planned that this land would be bought, which, while next door to Codornices, could not be seen, on account of the screen of trees from Codornices.

Morris: It's a little higher, too, than the play area.

B. May: Yes. No change would be made in the existing Codornices Park, but a play field would be added. As I'm sure you know, all of these junior play fields can be used throughout the year for touch football or other big muscle sports. We began getting heavy protest from that Hillside district. There was heavy support too. For many years, Dr. Jim Whitney and others had been pointing out that if your child lived on Tamalpais or certain other heavily traveled streets in that area, he stood a very good chance of being killed while playing ball.

Morris: In the street?

B. May: Yes. So, there was strong support. I believe the protestors were a minority of the neighborhood, but I was simply appalled by the liberal records of people who called me up and said,

B. May: "We're not objecting, of course, to Negroes. We wouldn't object to them except Negro children are so noisy." They said that balls were going out of style and today's children didn't wish to play ball.

The answer to that was the number of children, black and white, who had to be refused this baseball experience. The Recreation Department had to turn down about 200 every year. And busing was brought forward and all the standard arguments.

Morris: Was there also concern that if you put in a ball field this would reduce some of the wild, natural park feeling?

B. May: It didn't touch it. The proposed ball field had been the bottom of the reservoir. It can't be seen from Codornices! Lovely, flat, level ground, which I certainly thought looked much better in turf than in a reservoir roof. We held many meetings, which I attended as the council liaison with the Recreation Commission. By this time I had heard most of the euphemisms for racial prejudice and they were all used there. Many good liberals in the area refused to see this and there may have been some people who really thought that children, both black and white, should be kept out of playing noisily day or night in any neighborhood, a doctrine I'm not prepared to accept.

The Recreation Department made a number of concessions. Instead of putting in the home plate and so on permanently, they said that it would be taken out when baseball season was over, that bleachers would be knock-down, small and unobtrusive, as they are in all the parks, because a field that is large enough for people up to seventeen or eighteen to play on is too small for adults to play a baseball game. You can play catch and so on.

But after a long wrangling and many concessions to the neighborhood protest, the council stood firm and backed the Recreation Commission. I have often observed people playing on the new field, but not being a baseball fan myself, I haven't gone to a game.

Morris: It's a well-used field. Often there are two or three different games in different corners and the various outfielders seem to be playing two or three games at a time.

You said that you were liaison to the Recreation Commission at that point. How did that role work?

B. May: It varied with the workload of the council and with the interest of the individual. I'm not clear why I was assigned originally to Recreation when I first went on the council, but I enjoyed it. I stayed for a second assignment, which is contrary to the intent of the plan and contrary to the way it might best work. I think it would be better for councilmen to have a broader look at commissions.

Morris: Serve a shorter time as liaison to different commissions?

B. May: Yes. But there are all sorts of personal considerations. John DeBonis, as I recall it, had served on one or two commissions. He said he thought he'd done enough. Arthur Harris liked the Library Board because it met at the Main in the daytime and also because there you had a vote as a member of the board. Bill Sweeney wanted the Personnel because he said that it related to hiring and he thought he might have good personal influence. The rest of us made an opportunity to point out to Bill that we, too, knew that the Personnel Board met only about four or five times a year.

I think at that time it was too much of a burden to put on councilmen who didn't have a great deal of free time.

Morris: At that point, did councilmen find the time to actually attend the meetings of the boards and commissions they were liaison to?

B. May: Some did and some didn't. I attended quite regularly but once in a while I skipped it.

Morris: Would your commission that you were liaison to come to you informally between meetings, either the chairman or groups?

B. May: No, not often. Recreation was a commission that discussed issues and decisions freely in public meetings. The commission's secretary would often call, either at the direction of the chairman or of Gene Saalwachter, who was the current recreation director, to give me a pep talk on the agenda, that such and such --

Morris: Was coming up on the council agenda?

B. May: No, on the commission agenda, particularly if this were later coming up before the council, because they wanted to be sure that their liaison would be ready to speak.

B. May: This sometimes leaves the liaison member in a quandary because under your instructions you are not to influence the commission's decision. You reply to inquiries, but you do not introduce your view in regard to junior baseball or anything else. I'm not sure it's always possible to stick to this because after I'd been with them for a time, we were all buddy-buddy.

Morris: And it sounds as if you did have some ideas on how parks should be developed.

B. May: Yes. But, if I were at variance with the commission, I tried to make that distinction in presenting what had seemed to me to be the thrust of the commission views and then saying, "Later, I'll give you my own viewpoint."

Morris: So that sometimes you could help the commission itself focus its own debate and discussion.

B. May: Yes.

Morris: One other thing. When the subject of planning parks so that they'd be used by black and white groups began to draw community complaints and debate, did the commission take any of that load of public reaction off the council?

B. May: No. And as I recall it there was not much public pressure for integrated parks. Blacks appreciated these added amenities if and when they were obtained, but I think we can hardly exaggerate at that period the push to get fair employment practices implemented and fair housing practices as soon as the Rumford Act passed. There was a great deal of legal action on various aspects of civil rights and there were other questions, as I recall it, on which you felt the greatest weight of Negro leadership was placed. These campaigns came first.

There was, at the time I was elected, one black member of the Recreation Commission, Dr. Thomas W. Browne, and he represented a Negro view ably. He also had a real concern for tax rates because, as a Berkeley landlord, he had realized the difficulty of raising rents in a low cost area in response to increased taxes. Later on, with more appointments, a number of other black leaders served on the park board. This made some converts for outdoor life and open space.

Changing Community Requests: Saunas and Child Care

B. May: But in the current recommendations of the Recreation staff, headed by a Negro, Walt Toney, there is much more request for buildings in the parks in west Berkeley than there is from parks in the hills.

Willard Park, for example, was planned with a neighborhood committee, which went along with the then-council policy of having a minimum of building. If you will recall, that's a very small, unobtrusive building indeed.

Morris: The trees have almost grown up around it.

B. May: In contrast there has been a continued request for a larger building at Kenney Park. The plans for it, quite elaborate plans, include a number of things that I'm sure will be real amenities in that neighborhood -- a laundry room, a sauna bath.

Morris: A neighborhood center rather than a recreational --

B. May: Yes. It's really a neighborhood center. I've never held laundry to be recreation!

Morris: But sauna is a sociable pastime, I think. [Laughter]

B. May: Yes. The laundry will be a coin-operated machine laundry and might be a real help for a mother with small children.

Morris: Do your laundry while you keep an eye on the kids in the sand pile.

B. May: Yes.

Morris: Is the thinking that they could pay for the washers and dryers and have money left over for programs in the center?

B. May: I don't know whether it's going to be priced that way. I suspect that the objective is to pay for the machines and their upkeep and not to support other activities -- fee for service.

I was shown and told about the plans, it seems to me, a couple of years back. But I've been so concerned with my own life that I no longer make rounds of the parks regularly.

Morris: I'm still on the junior baseball circuit, so I'll go check it out for you and bring back a report.

That brings us to little kids. Does the child care story fit in here with the efforts to bring about an integrated community? I found the first note of the city council's interest in 1964, when the Human Relations and Welfare Commission again expressed interest that the city take a look at the needs and services available for disadvantaged children.

B. May: [Pauses for thought.] Yes. I hadn't thought of putting that in because it was primarily a white mothers' movement, white working mothers, and I believe the clientele for the service to the sick child was largely white.

Morris: That's why I asked whether or not this was the place to put it because I'm unclear myself. When the Human Relations Commission came to the council, it was particularly because of their concern for the needs of the disadvantaged child.

B. May: Yes. And the child of the working mother.

Morris: They didn't mention that. It spread in so many different directions. February, 1964. [Reading from notes.] "The Human Relations and Welfare Commission recommended that the city council seek ways to cooperate with the school board to promptly initiate an interagency study of the disadvantaged preschool child and his environment, with the intent of finding ways to coordinate and use the considerable state and federal assistance now available."

B. May: We might just say here, while not directed primarily toward the children of Negro families, the black child was certainly included in the study undertaken.

Morris: All right. The council's decision at the time was to turn this over to the Council of Social Planning to do a preliminary survey of what was available.

B. May: This is a minor example of the continuing effort on the part of the city and schools to reach the disadvantaged child, no matter what his color. The only city project stemming from this effort was one to provide care for the sick child of the working mother, who would have to miss a day's work unless she could secure temporary care.

Morris: Yes. That was first funded by the council in '69.

B. May: Yes.

Morris: You might almost say when a new era had begun. As I recall that committee, it was quite well integrated, not only black and white, but younger and older parents.

B. May: But I don't recall this as being part of the then-developing pressure from the black community at points of particular interest to them; I think probably because of the strong circle of aunts and cousins and uncles and grandfathers who will care for black children in times of need.

Morris: That's an interesting point.

School Integration

B. May: One of the large movements which followed the fair housing ordinance, although it had begun earlier, in which certainly the liberal wing of the council was deeply involved, was Berkeley's program of school integration. The part of the plan which received most publicity and most protest was, perhaps, the busing arrangement, whereby every child in Berkeley attended an integrated school. The reports written by outside commentators have continued to emphasize busing and have usually omitted the careful training of teachers and the increased tax rate voted by the citizens of Berkeley, which resulted in advance in the quality of education, in classes of around twenty for entering students in the first grade, which went up to thirty-five or so for students in the sixth grade. Fortunately for Berkeley, we already had integrated junior high schools and Berkeley High School, or rather, I think we should say, desegregated.

Morris: You could say that Berkeley High is integrated because there is only one high school in the city. I believe there has been a continuing group of people who felt there should be two high schools in Berkeley.

B. May: Yes. But while people have been saying this, that Berkeley High is too large, a stalwart group of Berkeley citizens have been saying, "You integrate the school system, or at least desegregate it, and then we'll listen to a plan for two or three high schools." Many variations and improvements have been discussed and will continue to be and certainly no superintendent or Board of Education member would say that Berkeley has as yet achieved a truly

B. May: integrated school system. But desegregation in itself is a giant step.

Morris: Yes. Were there things that the council could do as the council, or as the majority group on the council, to facilitate the school district's effort?

B. May: As individuals, when the attack came in the form of a recall campaign against the majority members of the Board of Education. we were very active in raising money, getting sponsors, and speaking in support of the school program. Officially, I believe the council passed resolutions, but I don't really remember this because resolutions encourage your friends, but I'm not sure that they change any undecided voters' minds. A recall election has certainly the connotation of supporting individual candidates, so perhaps we did not pass a resolution as being unappropriate in that regard. It was a hard-fought campaign and the members of the Board of Education were not recalled but returned to office by very comfortable margins.*

During this period, in regard to the city in general, we continued to develop the policy of putting city parks and open space near school sites. This is for economy and in the hope to get large blocks of land, but it also, we hoped, would give a continuing experience in interracial play, and build better interpersonal relationships among schoolmates.

Another large effort toward a city with no barriers on a racial basis was the campaign to be described later to underground the BART [Bay Area Rapid Transit District] tracks, which, following the route finally selected, would have cut off Berkeley west of Grove-Adeline from the rest of Berkeley by elevated tracks. Since this proposal involved other municipal problems in central and north Berkeley, we should discuss it separately. [See Chapter XIV, p. 356.]

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*City council minutes report several discussions of the city charter recall provisions while the school board recall petitions were being circulated in 1964. The decision was made not to attempt to change the provisions while a recall move was under way. An amendment to change the recall procedures was on the ballot in 1965, along with several other charter amendments. Ed.

Increasing Community Pressure from Black and White

Morris: When we were starting this account of integrating the city, you said that there was increasing pressure from black groups. When you said "increasing pressure," did you mean increasing willingness and interest of black leadership in general to speak out for themselves and their own neighborhood, or that the increasing pressure was also increasingly aggressive?

B. May: Both. Another factor which perhaps can only be evaluated by some uninvolved historian later on was the increasing difficulty of discussing issues and making decisions in the '60s because of the use of violence, shouting, swearing, as weapons, by groups supporting such causes as Peace Now in Vietnam, Free Speech on Campus, takeover by neighborhoods of the university and BART's temporarily unused space for people's parks, and so on. These causes frequently included as so-called unnegotiable demands the withdrawal of police from streets and squares being used for demonstrations and requests for closure of Telegraph Avenue and other streets.

There was, of course, great opposition on the part of people living near the demonstrations. At one time the campus demonstration was so prolonged and so violent that without the city council's requesting it, Governor Ronald Reagan declared a state of emergency and sent in the National Guard, which, in the view of many of us, exacerbated the situation. They used tear gas and automated weapons.*

Blacks appeared but seldom led or formed a large part of these mass protests. The council attempted to deal with each incident as an individual proposal. For example, after great discussion and much citizen protest, a parade-for-peace route was worked out in 1968, I think. Volunteer wardens were assigned to keep peace on the march.

Morris: This was the July 4 march for peace -- and it was peaceful.

B. May: Yes, on July 4, whenever. I could look that up because I have lots of letters about it, pro and con.

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*A Peoples' Park Chronology, 1967-1969, Gar Smith, mimeo, in Institute of Governmental Studies library, UC Berkeley.

Morris: 1968 was the year.

B. May: Oh, good. Otherwise, I can look up -- I've got a whole box full of laudatory letters after that and other incidents. You know, oddly enough, I didn't keep any critical ones!

Morris: You may not have received any!

B. May: Don't you bet on it, my girl!

In any event, this peaceful parade, following several violent demonstrations earlier in the spring, appeared to justify the council's policy of treating each request as a separate incident in determining whether or not to approve the parade permit, the street closure, whatever action was requested. These often noisy, sometimes violent, demonstrations had several times degenerated into the sport of "trashing," in which young persons went out primarily to break windows, overturn refuse cans, turn on fire hydrants, and the like. This became what seemed to be a sport without any reference to a cause.

All of this created an atmosphere in Berkeley that led minority groups in general and black groups in particular to feel that if they brought strong pressure on the council that they would get what they wanted, whether or not it was within the council's power to grant. A series of such pressures came in regard to police action, arrests, and trials. We had earnest, eloquent, frequently noisy demands that one accused black after another should be released by the city council, which had, of course, no jurisdiction and would, in the opinion of most attorneys, prejudice the fair trial of the individual by --

Morris: Trying to circumvent the police and court procedures?

B. May: Yes. This, of course, is again a reflection on how inadequately governmental structure, with the separation of powers, is taught and how little of it has become part of the accepted body of knowledge of many citizens. Cases of this kind in regard to whites accused of an offense, particularly white juveniles, also occurred.

Morris: In other words, people would come directly to the city council while it was in session and say, "Let my friend out of jail?"

B. May: People would come saying, "Now, this man is innocent and we want you to say so and we want you to act to see to it that he

B. May: is not tried for this offense." This happened frequently. The most spectacular example was the famous meeting of the Berkeley City Council and the Black Panthers, led at this time and later by Bobby Seale. Bobby Seale himself was out on bail on charge of murder. He came accompanied by a large contingent. I remember it as being half or more of the council chamber's capacity of three hundred.

Morris: That's a large sized contingent of any --

B. May: Yes. I must say, the rest of the audience and most of us on the council were frightened that the situation would get out of hand. The Black Panthers were characteristically young men and young women, some of them wearing symbolic hats, most of them armed, most of them with sidearms, and to emphasize what the speaker was saying, they would raise fists or hands clutching their guns.

They were not on the agenda, but it was obvious that there was going to be no chance of carrying on the agenda while the protesting cries and arm-waving and threats of violence were going on. Mayor Johnson, as presiding officer, used the technique which all councils at that time were using of calling for order and, when order did not result, saying, "The council will have an intermission of ten minutes or more until the audience is ready to have the agenda resume." Then we would retire to the city manager's set of offices and think about what to do next.

Since the reporters had gathered and the proceedings were being broadcast outside, we were under close observation in regard to the Brown Act, which forbids the council to meet in secret. Four council members, one less than our majority of five, could meet. So, for some reason, we chose the very smallest office of the very most junior assistant to the city manager and four councilmen would jam their things, themselves, and their thoughts into the office. Nobody ever wanted to come out, so now and then one of the five excluded would just open the door, reach in, throw a councilman out --

Morris: Back onto the council chamber?

B. May: Back into the corridor. There is an inner corridor behind the council chamber and then a gate to the reception room, and a couple of policemen were holding the gate so that neither the Black Panthers nor the reporters could get at us. As I said, there was a constant runaround in this little office.

B. May: It would take too long to describe the suggestions as to what best to do, but there were two main points of view, or perhaps three. Some proposed adjournment with no practical plan as to how we could leave if the Panthers did not agree. The mayor and some supporters held that we should call the police and clear the room. This was strongly opposed by others, including myself, since the council chamber is on the second floor with the only access and exit provided by a wide curving stairway --

Morris: Made of stone.

B. May: Yes, made of stone, with iron railings. Halfway down -- not at the top, but halfway down -- there is a curved iron railing. It would have been impossible, I believe, to clear the room without injury to someone.

Morris: Yes, particularly with young, energetic people protesting every step of the way.

B. May: Yes, leaving entirely out of consideration the possibility of gunfire. Sweeney and Dellums advocated persuading the Panthers to leave and this the five liberals supported, provided Ron and Bill could negotiate their peaceful exit. During this, both Dellums and Sweeney did go in and out of the council chamber and the lobby at the head of the stairs to talk to Mr. Seale and his followers, emphasizing that what the Panthers were asking was to Mr. Seale's disadvantage in securing a fair trial, that if they did shoot up either the council or the police that this would be not only illegal, but damaging to Mr. Seale's legal rights.

Morris: Yes. Was he seeking action from the council to remove the charges against himself?

B. May: Yes, yes. It was a dramatic occasion. We went back and forth out of session. I've forgotten how many times, but it was very late when the two black councilmen's persuasive powers had at least brought them to the point that they would consider withdrawing. Mr. Seale made a very good and persuasive speech to induce his more militant followers to leave, saying that this was a good change, it had occurred to him, in which he and the Black Panthers could demonstrate that it was the police who started violence and brought black people into such trouble. After some cries and protest, they agreed.

B. May: The mayor said, "Now, let's send a messenger down first so there won't be any misunderstanding." The messenger went down and directed the police to pull away from the steps and to separate the crowd.

Morris: There were more people downstairs who didn't fit into the council chamber?

B. May: We had attached broadcasting equipment at the front door so that if you wanted to stand outside you could hear what went on. There was a large crowd that night. The police pulled back, formed a broad corridor, and the Black Panthers, led by Bobby Seale and holding their flags and still, I suspect, displaying their guns, marched out and went home peacefully. As I recall it, they left about 12:30. So, then we adjourned and went home too.

After the session was over, Ron Dellums, who sat next to me at the council table, turned and said, "Bernice, I do want to compliment you. You sat there just as cool and collected. I kept watching you and thinking, 'Why can't I be that calm?' And then the interesting thought occurred to me: Were you calm really, or perhaps you weren't frightened because you thought nobody would shoot you?"

And I said, "Why, Ron, did you really think they'd shoot?" And he said, "Didn't you see me getting white?" He was right. I thought they were bluffing.

Morris: Did you?

B. May: I did. Ron said, "Didn't you even think they might shoot?" I said, "Yes, I thought, 'If they begin shooting, I'll get under the desk.'" Council desks are built with a continuous solid front and it's heavy oak and I thought that ought to --

Morris: And you're up above the eye level of whoever would be wishing to use their weapons.

B. May: Yes. I thought, "At least, you don't run out."

Morris: Had you any inkling that they might be coming to state their demands?

B. May: Yes. The word had gone around that they were planning to invade the council. What I have tried to do in discussing it was to show that this crowd and threat of violence were very like other

B. May: protests that we got against courts or against bodies over which the council had no jurisdiction.

This was the tensest council meeting I ever attended because it held the greatest possibility for extreme violence. Particularly after counseling with Mr. Dellums; I was frightened then!

Morris: Afterwards, after everything had resolved itself?

B. May: After everything had happened. But, I could hardly credit that this attractive, not at all disadvantaged looking group, really meant they would shoot us up. Without the patience of the council to sit there and go back again and again and let this all come out, but most of all without the skill and persuasiveness of Ron Dellums and Bill Sweeney, we would have had an exceedingly bad incident. It's interesting to know that Bobby Seale was not convicted of this charge, though the trial did drag on, and that since then he and the Black Panthers of this branch have changed their tactics, and announced that they feel that they can get more of what blacks and other disadvantaged people need through working within the current political system. They are carrying on such projects as breakfasts for school children in 1974.

Morris: It's not the sort of thing you expect to have happen when you take on a public office, I should think.

Some Lessons Learned

B. May: No, not when I was elected, but I think it still has to be taken into consideration. What I'm trying to point out that this kind of violence is not primarily or necessarily a black or other minority characteristic. I think as long as we tolerate violence in our streets and make violence profitable in gaining objectives, we certainly don't do anything to eliminate it.

Now, part of this period, as I think I've indicated in regard to Codornices Park, was our discovery, our realization, that we were desegregating rather than integrating because of the length of time it apparently takes to change the emotional set of people. I think there was opposition, which continued to crop up, to the effort towards an integrated society from two or perhaps three sources: one, emotional

B. May: rejection on the part of whites; two, objections of white citizens who felt that there should not be special governmental services for disadvantaged minorities, but that citizens should all be treated equally under the law; and then an interesting opposition which developed into the black separatist movement, of which the Black Panthers in the beginning were a part.

This movement, I think, arose because the tide of rising expectations quickly outran the capacities and financing of governments to meet it. So, I think there are now many blacks who sincerely feel that they will do better on their own without joining in liberal plans, such as plans for integrated schools, but instead in seeking objectives that they have defined themselves. There seems to be a movement to establish separate black institutions, or revitalize them, and to encourage improvement in the ghetto undertaken by blacks, rather than integrated living. They may think it will be more fun, or for whatever reason, they believe in the encouragement of black capitalism and so on. I hope this exclusive trend is not one that is going to continue and not one that will prevail in the Bay Area.

I am greatly encouraged in thinking that this may be a phase of our difficult progress, rather than a solution, by those leaders both black and white, here and elsewhere, who still hold integration as an achievable social ideal. As long as such men and women as Lincoln, Lucretia Mott, Earl Warren, Mary McLeod Bethune, FDR, and John F. Kennedy are remembered. As long as we have leadership from those who work for all disadvantaged no matter what color -- Coretta King, Congressman Augustus Hawkins, Winifred Heard, Bishop Roy Nichols, Clark Kerr, Leontyne Price, Roy Wilkins, Carol Sibley, Congressman Ronald Dellums, Governor Edmund G. Brown Jr., Judge Wilmont Sweeney.

Morris: I think we might put Bernice May on that list, too.

B. May: But it's me talking!

Morris: Yes.

B. May: Thank you. All things considered, I think we may have hope, essential hope, but we can't stop working as a city or as individuals. As FDR said, "What we need is a society which leaves nobody out."

XII ENVIRONMENTAL ACTION: THE WATERFRONT
(Date of Interview: July 1, 1974)

Revising the Master Plan: Less Fill and More Public Access

Morris: So, we're ready to start on the story of the Master Plan and the changes --

B. May: In regard to the waterfront. Now we really did the change in zoning first, but we've already talked about that. [See Chapter XI]

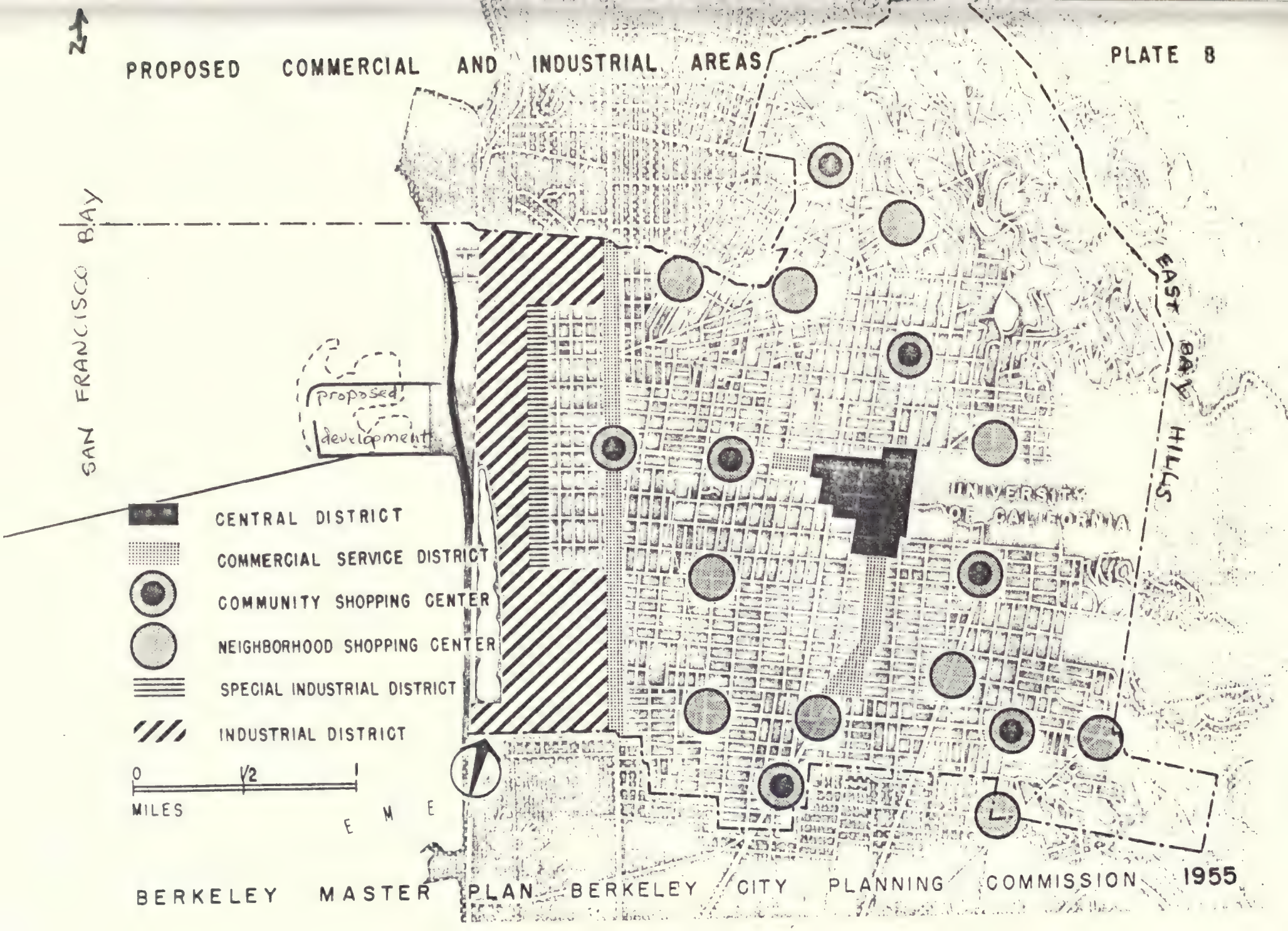
Morris: Yes. When you came on the council, there was a pre-existing Master Plan which was approved in 1955.

B. May: It was the first Master Plan for Berkeley and it was approved in 1955 with considerable flourish, after many neighborhood meetings. I remember going to one in John Muir School. As anyone can see as they look through the Master Plan, Berkeley's own planning staff and Planning Commission had proposed then to fill Berkeley's tidelands out almost to Goat Island.

Morris: That's how far the state grant runs?

B. May: Yes. It extends out to the bulkhead line, which is a more or less arbitrary line established by the Army Corps of Engineers under their responsibility for maintaining navigation routes in the bay. They had surveyed the bay and determined the bulkhead lines at the outer limits of the very shallow water. Obstacles to navigation appear in the deep water.

At the meeting that I attended in '55, no one, including, I'm sorry to say, my husband or myself raised a voice against this invasion of the bay. We seemed to accept the current


PROPOSED COMMERCIAL AND INDUSTRIAL AREAS
PLATE 8
N
SAN FRANCISCO BAY
EAST BAY HILLS
proposed development
UNIVERSITY OF CALIFORNIA
CENTRAL DISTRICT
COMMERCIAL SERVICE DISTRICT
COMMUNITY SHOPPING CENTER
NEIGHBORHOOD SHOPPING CENTER
SPECIAL INDUSTRIAL DISTRICT
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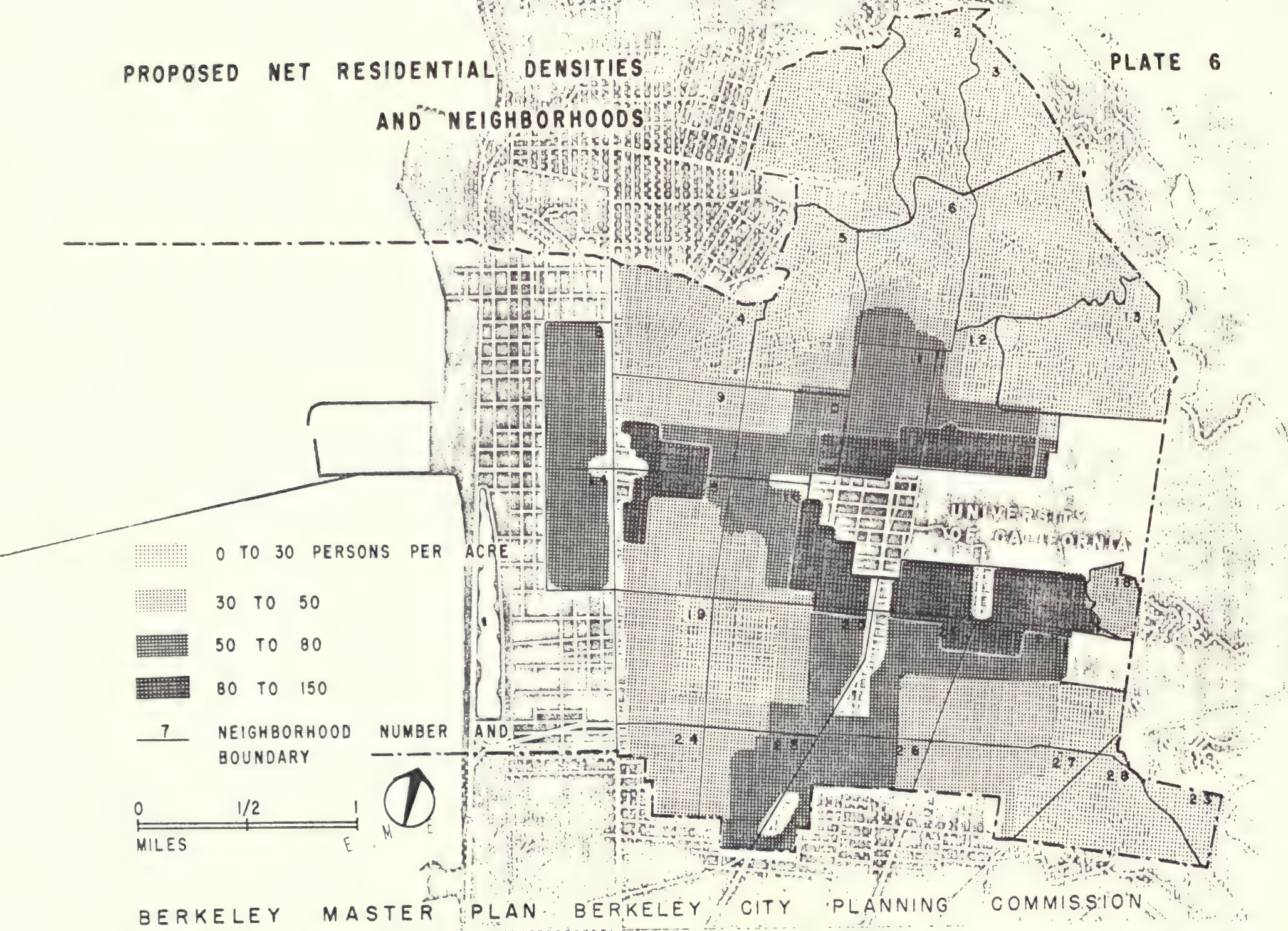
BERKELEY MASTER PLAN
BERKELEY CITY PLANNING COMMISSION
1955

PROPOSED NET RESIDENTIAL DENSITIES AND NEIGHBORHOODS

PLATE 6



BERKELEY MASTER PLAN BERKELEY CITY PLANNING COMMISSION

B. May: conventional wisdom that the shallow water wasn't good for much. Of course, I'm sure Sam May would have said, "This is just a dream plan. There's no implementation. Let's wait and see the costs and benefits before getting excited." But I don't recall that we questioned it.

The Master Plan carried in it a provision that it be reviewed and revised with public hearings every two years. This had been religiously done, but it contained many things that, by the time I was elected to the council, we felt did not represent good planning for Berkeley. As I said, the Master Plan showed that Berkeley proposed to fill land almost to the complete extent of Berkeley's grant of tidelands.

Well, we got that fixed, but with a little trouble.

Morris: Was that because nobody had taken a look at it?

B. May: Every two years they'd looked at it.

Morris: But they hadn't seen the implications of what they were looking at?

B. May: And the public had looked at it. But this, I think, illustrates the lag of public action behind good research. Ecological research had been going on, but it hadn't yet had an impact on either planners or on the public. A good deal of research had been done which, as I say, had not yet sunk into the public consciousness, but rapidly did. That's why it was fun to be a councilman at that time.

So, I believe it was in 1961, that it was decided that it was time for a major new look at the Master Plan. This was the result of pressure from two sides. The business community felt strongly that Berkeley needed higher tax revenues, more industry, more jobs, and more housing. Contrarywise, there was beginning to be pressure from people who wanted a greater share of Berkeley's open space -- recreation space to be more quickly accessible to people, those living particularly in south and west Berkeley.

The support for this was expressed in the key park policies of the Berkeley Caucus, which were formulated in a platform statement by 1963, which said, "The geographical situation of Berkeley is another of the city's great assets and care must be taken to protect and enhance the essential character of this asset. As a community which prides itself on its enlightenment,

B. May: among the many communities facing the question of bayfront development, Berkeley has a responsibility to thoroughly consider the wide implications of any development plan and the effect of its example. Any waterfront development must be in accord the scenic and recreational values of the Bay and must be in accord with other Bay Area development. If it permits a reasonable profit to investors, yet it must inhibit private speculation at public expense."

You see, we were still thinking, even in this liberal group, of the possibility of making money directly out of having more land rather than more water.

At the same time, there was developing in Berkeley -- and we at once began hearing their views, gently at first and more positively later -- the organization called Save-the-Bay.

Morris: Was that organized originally in response to the Berkeley waterfront development, or was its thinking on a baywide basis from the beginning?

B. May: I think they were concerned from the beginning on a baywide basis. Interestingly enough, they were given a clue to this from the Army Corps [of Engineers], because somebody over at the Corps looked at all the grants that the state had made to cities impinging on the Bay.

Morris: For small crafts and harbor -- ?

B. May: No. The grants of land. You see, the state had been handing over to the cities and sometimes to private businesses like Santa Fe [Railroad] tideland grants that were supposed to be, it said in the law, for water-related purposes, such as fishing, boating, and navigation. Most of the tidelands granted had very shallow water, eight, nine, or ten feet deep. Tidelands couldn't support the harbors and ports that the law mentioned because only small boats could reach the shore there.

And the Corps said, "If everybody fills to the extent that has been granted to them, what we would have is a wide valley with a large river." Here is Save-the-Bay's first publication. [See next page.]

Morris: That dreadful image of what the Bay would look like.

B. May: This, I think, as a longtime member of Save-the-Bay, is their

Save San Francisco Bay Association

P. O. Box 925 — Berkeley 1, California

Membership: $1.00

BAY or RIVER ?

Courtesy Oakland Tribune

The black area outlines the present San Francisco Bay. The white area, according to an Army Engineer's study, shows what would be left if all shallow parts were filled.

PROTECT . . . . OPEN WATER

PROMOTE . . . BOATING - FISHING - WILDLIFE AREAS

ENCOURAGE . . . REGIONAL PLANNING FOR LONG-RUN VALUES

PRESERVE . . . CLEAN AIR - SPECTACULAR VIEW

OUR HERITAGE FOR FUTURE GENERATIONS

B. May: first piece of literature and it's the first one that hit many of us between the eyes.

Morris: It really made an impact.

B. May: Yes. It's often only in crisis and threat of loss that people get themselves geared up to protest. But when the recommendation from the Planning Commission and from a special waterfront advisory committee which they had appointed, came in, it was very much the same recommendation that had been in the original plan. Some specific features had been added -- a golf course, an airport, a mix of residential and industrial uses, with the proviso that the industry should be compatible with residential uses, not smoky or noisy, and added space for highway and railway expansion along the waterfront.

This plan and any other large scheme of fill, of course, implied high costs, particularly in the first one to five years of the project.

Morris: While the land was being filled?

B. May: While the land was being filled and allowed to settle. Garbage fill you can walk on and put light structures on at the end of the year. But in earthquake country, you ought not to be building anything very substantial. We were not very excited about earthquakes, either, that far back. The earthquake code had not been reviewed seriously. So, there was land that the university might want, the planners thought, and land that the junior college might want. It was grandiose.

Friends of Aquatic Park

B. May: Now, in order to help with the financing, one of the proposals was that we should fill Aquatic Park completely and sell that land as industrial land. This, again, leads us to an interesting side story. Aquatic Park looked rather miserable because previous councils had applied the low-maintenance policy to it as to other city facilities. We certainly needed that extra tax income.

Aquatic Park was shabby. It had been built during the Great Depression as a WPA project. The city had bought the land, but WPA had furnished the labor and much of the material that was used. This was the bright thought, to which there was quite a

B. May: bit of opposition at the time, of the then-city manager, John Edy, the first city manager in Berkeley. It was known as his folly for a number of years.

Anyway, Aquatic Park, in its first version, had been a big success. People had used it for boating and teaching kids to sail. There was then quite a bit of fishing.

Morris: In Aquatic Park itself?

B. May: In Aquatic Park before the freeway was added. From the beginning, it was a great success with the birds because it afforded still water and a resting place for migratory birds, the ones who don't like salt water. There are some ducks and geese who like the Bay because it's salt and then there are others who aren't so crazy about salt.

So, through all of Aquatic Park's career, it's been a pet place for birdwatching. But it was remote. It was difficult to patrol. People said that drug users were now rendezvousing there. All in all, many people thought, "Let's get rid of it."

This at once brought forth a storm of protest. I remember with great pleasure the first meeting we had on Aquatic Park. I was one of those who felt we should not give up Aquatic Park without getting for the people of Berkeley an equivalent park area in that neighborhood. As you remember, Aquatic Park is just east of the Eastshore Freeway and west of Sixth Street, and it extends from Bancroft down to Ashby. It is the only large park in that area.

So, we had a large group of people who had come out or who had written in and wanted to speak.

Morris: This is in late 1962, according to the council minutes.

B. May: Yes. We'd begun talking about this in '61. It went on and on and on because we didn't make the decision about the waterfront until, as I recall it, about October of '64. But the Friends of Aquatic Park pinned us down much before then and we had to decide, and I think did decide, in '62.

This first meeting was very well atended. Among the speakers was one of Berkeley's most energetic advocates of civic beauty, Florence Minard. Miss Minard had for many years taught art, and especially Oriental art, at Mills, but she had long been a

B. May: resident of Berkeley and a believer in open space and also a talented bird watcher. She must have been at this time in her quite-late seventies and she made a noble, high-level speech, surrounded by developers who kept saying this industrial land was too good to be wasted on birds.

During the evening, I had noticed coming in rather late, and so getting very late on the sign-up list for speakers, a black family -- husband, wife, and three fairly small boys. But they waited. Then I realized that I'd met them before and that these were the Bradley family.

Morris: Velma and Ralph Bradley.

B. May: Yes. They lived then and still do live on Seventh Street. It got later and later and everybody, including the Bradleys, was getting more eager. Finally, the time had come when there seemed to be some deadline and Ralph Bradley got up and came up quickly to speak to me. I often received these messages from people attending the council because I was so available at the end of the council seating near the door.

He came up and whispered, "I've got to take the older boys home because they have to go to school in the morning. The little one can stay all night." And off they went, the two older boys, evidently feeling very badly, and the little one straightened up and tried to look not so sleepy.

A little while after that, the presiding officer --

Morris: If this is the hearing of December 11, 1962, Arthur Harris was presiding, according to the council minutes. He was vice-president of the council that year.

B. May: Yes, in Mayor Hutchison's last term. But anyway, the Bradleys were called on and Mrs. Bradley arose and said that she would like to speak too, but that in view of the lateness of the hour, she was going to yield the time to her son, whereupon this young man of, I would judge, about five got up and told us that we were greatly mistaken if we thought that the boys and girls around that neighborhood didn't like Aquatic Park. They did. They wished it would be cleaned up, but they used it.

And he said, "Don't worry about me crossing Sixth Street. I don't have to. I live down on Seventh after it makes that jog there." And he said, "Oh, it's fine," and detailed a number of

B. May: the things they could do there, fly kites, catch frogs, play catch. He made a very eloquent and most appealing speech and I am sure that the people who wanted to sell Aquatic Park lost right then and there.

It took a little while to get a vote on it. When the council finally sent the Planning Commission a direction for the next revision, the next look at this plan, the council said, "And we have decided not to sell Aquatic Park at this time." Some of us would have liked the period to come after "not to sell Aquatic Park," but this in itself was a decisive move.

This whole discussion, which, of course, wasn't completed in one session, led to the organization of the Friends of Aquatic Park, who have continued to operate ever since and have done a great deal toward seeing that the park was cleaned up, that some of its troubles about getting an adequate supply of fairly clean water were taken care of.

You see, the highway had been superimposed upon the intake and outlet pipes because Aquatic Park was built before the highway. Putting the highway and the burdens of traffic on top had not at all improved the flow of water and it increased the sedimentation within the pipes. The city some years later did scrounge enough money to have the pipes cleaned and some of the intake apparatus replaced. This helped but did not completely eliminate the growth in summer weather of water weeds. We hope some new remedy will be invented, but it does mean a fairly expensive maintenance job each summer to get rid of that summer's crop of weeds when the water is warm.

But this is offset by almost no planting expense -- we don't want it to be a cultivated-looking park.

Morris: Part of its charm is that it's a very natural-looking area.

B. May: Yes. But more trees have been added and the Friends of Aquatic Park, besides carrying on, during the time I was on the council, a very pleasant but firm lobbying program, have raised money and added features -- not elegant features, but such as a leftover wartime hut that the school department had been using for overflow at one of the schools and didn't need any longer, which they sold to the Friends for a dollar.

Morris: That's a good bargain.

B. May: The Friends had to get the money to see that an adequate concrete

B. May: foundation was laid for it and, as I recall, a concrete floor. It's used to store crew apparatus, shells and oars and so on.

The advantage of Aquatic Park's strange shape is that it is long and narrow and it makes an excellent race course for junior crews and for women's crews. It's a little short for the big shells.

Pros and Cons of Highrise and Harbor Development

Morris: On the other side of the freeway, the bay side, there was an organization called the Marina Development Company that was proposing to do the actual development of a highrise hotel and convention center.

B. May: Yes.

Morris: Were they proposing to put up the money to do the actual filling?

B. May: As I recall it, no. The city was to do the filling and they would build the hotel. During this whole period, we kept getting proposals for development. The one which was most attractive at first glance was the one by Santa Fe, presented under a distinguished architect, Perreira, a plan which, when you looked at it closely, would have gone out in islands and waterways and residential development to the end of our present marina. It would have utilized all of Santa Fe's land for solid land and resale and all of Berkeley's water to fill up the canals in between.

It was a pretty plan, but one which didn't last long when we realized that we, the city, would be getting none of the profits, only the increased taxes. Increased taxes from a residential area are always absorbed by added fire, health, school, other services which the city provides. And other schemes kept coming in.

Morris: Did the developers offer any inducements to the council to make it more attractive to approve their proposals?

B. May: You mean personally? [Laughter]

Morris: No. I'm sorry. In other words, they didn't make any concessions other than that it would bring more taxes? They didn't offer to

Morris: do the fill, for instance, in order to then have the right to develop the land?

B. May: Usually not. Of course, it would have been expensive to develop the land, as many of these plans pointed out. As discussion went on, with more and more about the aesthetic values of the bay, those making proposals learned to say an attractive shoreline must be developed and that there should be room left for the city to develop scenic drives and so on and that the small boat harbor should be brought up to date and enlarged.

So, the council went ahead, since it seemed that both the bay-savers and the tax-increasers thought a small-boat harbor would be a good thing and since we had an enormous waiting list for berths -- we did go ahead and ask for and got a loan from the state, which not only added berthing to the harbor, but which made the harbor safer and more attractive. The loan, with some extra federal money, covered the building of a breakwater off the harbor entrance, so that it made it much easier to get your boat, especially a small boat, in and out of the harbor.

Morris: How did the council line up on the question of saving the bay versus tax raising?

B. May: I would have to check votes for that. My impression is, at least in the beginning, Jack Kent and I were the people who felt we should save as much access to the bay, as much park and fishing space, but above all as much open water, as we could. Now, I may be doing others an injustice by stating this as the early position.

Here there was, to me, a very interesting development in the fact that, as the matter was more and more discussed, we began getting letters opposing this large fill project on the grounds that there was a great deal of land suitable for industrial purposes in the general Bay Area already.

Morris: Within Berkeley?

B. May: They pointed out there was some within Berkeley, but there were also industrial areas close at hand that were not fully utilized, and that the Bay Area was a common economic unit. Why did we think industry would come to Berkeley, where there were many questions, when they could go to an already developed site on solid ground? A number of these critics questioned the ability to forecast markets sufficiently in advance to begin the project.

B. May: So, we were beginning to get criticism both from the practicality of the project --

Morris: The economic feasibility.

B. May: The economic feasibility, as well as from those people who pointed out the great damage we would be doing Berkeley as a place to live if we destroyed one of its greatest scenic assets. Through this there was a good deal of discussion of the desirability of highrise structures on the waterfront.

In those benighted days we weren't critical of highrise and we did not -- when I say "we" I mean all of the planning groups -- realize how much of Berkeley could see the bay when there were only low buildings. Later, while we were still talking about this under Mayor [Wallace] Johnson, the mayor had his firm [Upright Scaffolds, Inc.] erect scaffolding to the height of a five- or six-story building down on the waterfront and many people found that that might be acceptable. But there was great protest against twenty- or twenty-five-story buildings.

I personally think that, by the time we were at that point in discussion, enough work had been done on earthquake codes to make it very questionable to erect a very tall building on the mud bottom that's off the Berkeley shore. Not that it couldn't be erected on pilings, but the mud is held in a rocky basin. It would shake just like water shakes if you shake a pail of it. There would be breaking of cables and fire danger as well.

So the highrise buildings, too, seemed to fade out of consideration. But we went through, as I've just said, this very interesting period in which economists and people knowledgeable about finance were pointing out what appeared to them to be the real difficulties in bonding, which would cut out revenue bonds under this long period of waiting, and also the difficulty of getting public financing under the two-thirds vote requirement.

I think one of the most interesting of the letters putting forward economic and financial considerations is from a former faculty member, Leonard Crum, who was then retired but took the trouble to write us a long analysis based on the material that had been presented to the council, which someone had collected for him and sent down to him in Occidental.

Another letter from the campus was from Dr. Murray Benedict who seemed to be opposing it from both ends, saying that it wasn't financially feasible, he thought, and secondarily that it was aesthetically appalling.

Save-the-Bay Association Spearheads Public Opinion

B. May: I thought we might include both of these, together with statements from Save-the-Bay, because there's no question in my mind that Save-the-Bay demonstrated here an ability to recruit people who would do the patient, continuous job of observing and being on hand, testifying and telephoning and writing letters, which has stood them in good stead ever since. They'd only been going a year or two, but they already had 3,000 members. So, you see, there was a latent body of support which just needed someone to begin organizing it.

Morris: I've heard Sylvia McLaughlin and Mrs. Clark Kerr spoken of as two of the people who got this going.

B. May: Yes. Certainly Mrs. Kerr I would pick out as the person with the persistence and drive, and she quickly recruited others like Mrs. Sylvia McLaughlin, Esther Gulick, a woman from Richmond, a power in the Richmond League.

Morris: Were you a charter member, too?

B. May: No, as a matter of fact, I wasn't. I joined and paid my money early, but didn't attend many meetings or do anything for them except send my dues, because you haven't got time if you're a councilman.

Morris: I can believe it.

B. May: I was already neglecting the league and the Sierra Club in fine style. But going back to Save-the-Bay, there were many men also who worked very hard on this. Will Siri, who was on one of the first Himalayan ascents with the Sierra Club -- not Everest -- but Annapurna, I think. Other Bay Savers were William Penn Mott, Admiral Chester Nimitz, Newton and Mrs. Newton Drury, Harold Gilliam, and many more.

Morris: Was Gilliam their press officer?

B. May: I don't know that he was, but he certainly has done a lot for us in publishing articles about the future of the bay.

Morris: These last four are very distinguished names in the field of environment. Were they able to be active, or did they more lend their names to a worthy cause?

B. May: They were active. I don't remember Admiral Nimitz appearing in Berkeley, but he may have come. He probably wrote us a letter.

Morris: Did the Save-the-Bay function to develop other organizational support, to put together what's become customary now, a coalition of organizations?

B. May: Not at that time; they were appearing independently, as was the League of Women Voters.

As I recall it, the league was a little slower to get on the bandwagon of completely changing the Master Plan, but they too, you know, had the feeling that many people in Berkeley had: Look, we went behind greatly during the war. We've had an influx of population that came in too rapidly during and just after the war to enable us to provide for them properly. We also tried for many years an economy approach, which didn't solve our maintenance and other problems, and we are now attempting to solve not only the conventional problems of city government, but our new concerns for integration and for the social needs of disadvantaged people.

So, this tax relief, which was hoped for through development, seemed very, very attractive.

I am grateful to the people who attacked it on economic grounds because it made it much easier for me to stick to the values of open water, which, at least among the general public, had not been discussed and new information had not been disseminated to the degree that came later.

Air pollution was the only local anti-pollution agency at work in this area. This, of course, had increased our difficulty with the waterfront because burning had been forbidden, which forced the city, as it did other cities, to solve the problem of garbage disposal by bay fill. Most of the city had acquiesced in this, not all. There were many people who said, "Even if you filled the whole bay, you'd run out of disposal area eventually and we have to solve that problem as a separate thing."

A very early leader in that was Ariel Parkinson. She was one of the people who wrote and appeared before the council at this time, pointing out that garbage was a problem that would not be solved by filling the bay and that the bay region as a whole should be giving attention to solving it. She has continued to push for this with others, but I think she certainly has been one of the effective advocates.

B. May: She has succeeded in having considered the project which was proposed by a firm made up of Hans Feibush, an engineer who was a former member of BCDC, and Mr. Frank Stead, a well-known conservationist with special concern for water pollution --

Morris: Hans Feibush and Frank Stead were partners in a corporation?

B. May: In a consulting firm to propose better ways of using the Bay Area wastes. An experiment is to begin, hopefully soon, with Berkeley and San Francisco providing garbage. Both federal money and state money are going into it. After some treatment of the garbage, removal of metals and probably shredding, they are going to use this material to raise the level of one of the frequently flooded Delta islands so they will not be subject to flooding. This compost will add soil.

Morris: To the levees.

B. May: To the levees and to the fields. Hopefully, this could be carried out on a much larger scale if this trial run is successful. Mrs. Parkinson and Councilman Sue Hone are serving on a Bay Area committee to get this going.

To our files, I would like to add one of Ariel's charming posters which she sent me.

Morris: Oh, she's also an artist.

B. May: Yes. She's a well-known artist who exhibits frequently in the Bay Area. But her husband said she's really better known for garbage.

Morris: [Laughter] She's designed posters having to do with garbage and refuse disposal?

B. May: Ecology.

Morris: Wonderful!

B. May: Her husband is a distinguished member of the English Department.

Morris: Is he the political "Parkinson's Law" Parkinson?

B. May: [Laughter] "Parkinson's Law" Parkinson is an Englishman, from the Indian Civil Service. No. But our Parkinsons are a very interesting combination.

Morris: It's remarkable that there are people like Mrs. Parkinson with the stick-to-itiveness to stay with one cause and see it through.

City Council Discussions, 1961-63

Morris: That's a nice anecdote. Jack Kent comments that you were a major factor in getting this waterfront amendment approved by the city council. What kind of jawboning did you do to convince the various members of the city council?

B. May: I certainly talked a lot and tried to tackle it from both angles: "Look it's uncertain in my mind as to whether a public entity should take the major responsibility for a commercial effort which doesn't really seem a sure thing." Then I kept working on them from the point of view, which I was just beginning to learn about, of the importance of the food chain, which begins in the bay in the shallow water, which provides the little fish on which the medium-sized fish live.

It supports not only our sport fishing but the commercial fishing, which, if we could get our ocean clean and our bay cleaner, would continue to be one of our substantial suppliers of jobs and income in the Bay Area. I think we often tend to think that it's just people who like to look at the bay, or row in it, or fish occasionally who profit by anti-pollution, but this isn't so.

Morris: One other time, after we'd finished recording, you mentioned that there were a number of people in Berkeley who did use the bay for fishing for their own home table.

B. May: Yes. And this was one of the reasons why we were so eager to get, and did get, permission to extend the fishing pier out to another segment of the old Southern Pacific automobile ferry pier. This is extensively used by people not only who live in Berkeley, but who come from other areas. It provides them not only with a day's sport but with a solid addition of protein in their diet. This year, they tell me, has been a good year.

Morris: Isn't that fine!

B. May: Salmon, which hadn't been seen recently, is being caught again. So, even though we haven't got the bay water to where we want it, it looks as if it were improving, if we could only manage to keep the river with enough water in it.

Morris: Coming into the bay?

B. May: Yes.

Morris: Did the discussions on the council leading up to the amendment to the Master Plan involve as much emotion and heat as the discussions on the housing ordinance?

B. May: I would certainly say not. There is, unfortunately, still a very deep feeling on the part of some people about living with people of another race or another culture. Now, they may have in some cases some experiences, but I think it's primarily prejudice.

Here, while the discussion was prolonged and the opposition from both ends of the argument was strong, I don't think people were as emotionally involved because, really, we seldom heard in this discussion from people who actually wanted to base a concrete plan on this development. It seemed remote. If people wanted a new factory, they wanted it now. So, we didn't get that intensive push from the man or the concern whose immediate financial interests are involved.

Morris: So that it was possible to amend the Master Plan and establish open space and recreational use as the major focus for the waterfront areas by 1964?

B. May: Yes. During 1962 and 1963, we had several hearings and meetings and sent the plan back to the Planning Commission with the decisions and the restrictions that the council had set.

I have here a round-up of the decisions on policy issues in regard to the waterfront that the council had made by March 12, 1963 and which we asked the city manager to send back to the Planning Commission and its waterfront committee again. By this time, we had altered the recommendation to say: "Aquatic Park shall not be sold at this time." The city had already begun working on development of the Berkeley Marina under the conditions of a loan from the State Small Craft Harbor Commission, which would give us $1,800,000 to be repaid chiefly from ground rental of commercial recreation buildings -- commercial recreation is eating fish, in simple terms.

Morris: [Laughter] Oh, very nice!

B. May: As far as I can make out, because the only thing either at BCDC or here that seems to fit that definition is a fish restaurant,

B. May: a restaurant from which you can see the water, enjoy the view, walk along paths, but also eat. And the new restaurants -- Hs Lordship's, the Solomon Grundy, the Marriott Inn -- are all on forty-nine-year leases, which brings in a minimum rent and then a percentage of their net, which will repay this loan.

Interim Waterfront Plan Adopted, 1964

B. May: Then we also had stated that there would be complete and adequate consideration as to design and beautification of the entire area. The council went on record as not contemplating filling the bay beyond the present entrance to the yacht harbor, which cut the prospective fill roughly in half. "The following land uses have been tentatively eliminated: residential uses, reservation of land for the University of California, reservation of land for a junior college or for a junior college athletic plant."

This would have involved one hundred acres of fill. I remember again that I believe I was alone in opposing the placement of the junior college there, largely on the theories of the junior college itself, it seemed to me.

They wished to develop a community college with a great deal of adult work, but I was concerned about locating it at that distance with, at that time, no bus transportation -- since then AC Transit does run buses at intervals down to the Marina -- in a location which would generate more automobile traffic, which would make it very difficult for the part-time student to attend and which also would place a group of young people in an area in which there would be little or nothing for them to do off grounds between classes. There was a very attractive nuisance near at hand in the small boat harbor. It's terrible how cynical you become!

Morris: It seems quite realistic.

B. May: The land uses that we wished to continue to study, even at that late date, were: industry, about seven hundred acres, not including Aquatic Park -- we thought we'd better say it twice; parks, 230 acres for the Marina and the development around it; golf course, 140 acres; convention center, 20 acres; airport and heliport, 100 acres; shoreline freeway; railroad; shoreline drive and viewpoints; and fire station.

B. May: [Hands interviewer document.] And a fine sketch map was attached. So, you see how much we had reduced it.

Morris: Yes. As you say, it's cut about in half from that earlier permissable limit.

B. May: Yes. Then, for the final meeting, I need some help in getting the final minutes probably, because I would like to include the final vote and something of the final discussion.

[Added on transcript, after consulting official minutes.]

Morris: The official council minutes report a waterfront hearing on September 22, 1964, at which Jim Barnes, the planning director, reviewed the council's actions, including a policy the council had adopted that plans should be considered in a regional context. Earlier, on July 6, you had reported that ABAG was considering a three-year moratorium on fill.

At the September hearing, the Planning Commission recommended that the new policies limiting fill and development should be adopted and the old Master Plan section repealed. Then on October 20, there was the second hearing. Joe Bort, DeBonis, and Sweeney were still interested in private development and resulting revenues for the city. Several motions were made; Harris moved to limit fill to the west harbor entrance; Bort to appoint a special waterfront committee to develop the plan in greater detail (MSC); Bort again, seconded by you and carried, requesting a staff report on possible sources of funds to acquire land for public recreational uses.

Then Kent moved and Brown seconded approval of the amendments. The motion was unanimously approved, "subject to submission of the final wording to the council." [I talked with Mr. Grey in the Planning Department just after we recorded this section; he checked his files and said October, 1964, is the date of the last council action; we are still operating under that interim waterfront section of the Master Plan.]

After approval of the amendments, Bort moved that the city continue working with the Peralta Junior College District to find an appropriate Berkeley site, which still hasn't been located in 1974.

The Waterfront Committee was then appointed on December 8, 1974. [Members were Ruth Boyden, Cliff Ceridono, Kay Holbrook, Franklin Hurlbut, Peg Rogers, W.B. Rumford, Jr.]

B. May: Thank you. [Transcript resumes.]

Morris: I notice in reading the minutes that the hearings and/or the council's deliberations on a policy matter seem to come after the routine business. Is my impression correct?

B. May: Often that was the case and this is very hard sometimes to explain to the citizen who comes down all fired up over one issue. In spite of the fact that we frequently held added meetings, we were always finding it difficult to give enough time to the public hearings to allow everyone to speak and as long as he wished to speak.

Morris: How does a councilperson cope with a long public hearing. After a while, I would imagine, you begin to hear the same arguments over and over again, either pro or con?

B. May: You do hear them over again. Your chairman, if he's a good chairman, has been asking the audience not to repeat material that's already been presented. This is very difficult. Individuals think that unless they have said it, you, the councilman, have probably not heard it. And life is too short to teach them the lesson that it would be better to have a few people speak cogently than to have a great many repetitions.

XIII ABATING BLIGHT IN BERKELEY

Industrial Development and Urban Renewal

B. May: One interesting thing about all this process is that the Chamber of Commerce and the Taxpayers Association and the Planning Commission continued to advocate that we should attempt to use the bay as an industrial site.

Morris: So the idea of industrial development didn't die with the waterfront revisions. Later there was the Urban Redevelopment Committee, which was appointed in '65.

B. May: Yes. Interestingly enough, a number of people who discussed this problem said, "Why don't you do it as an urban redevelopment project." We did, and it caused much delay because there was hope in the beginning that the council would be able to issue revenue bonds and so avoid a federal loan. As I recall it, Mayor Johnson and Mr. Kent teamed up on this. They both felt that it was a great mistake to get involved with the federal bureaucracy as well as our own. So, we wasted some time because we just didn't have the financial capacity.

Morris: The revenue bonds, I thought, were a device by which you could raise money that you then received back in payment from the people you then leased the --

B. May: You borrow money and you pay it off from the proceeds. But, of course, you have to pay more interest and the proceeds have to be pretty solid and it turned out not to be feasible. I believe that Margaret Gordon is doing for IGS a whole study of urban renewal.

Morris: Was the Urban Redevelopment Agency appointed to enable the city to then apply for federal funds?

B. May: Yes.

Morris: I remember that as being a rather large-sized committee.

B. May: Yes. This is one of the requirements of the law, that a very large committee is to make a general recommendation -- to study or not to consider. Then the council appoints the agency. In our case, we combined the application for housing funds with the Redevelopment Agency and appointed a Housing Agency from the membership of the Redevelopment Agency. But if we get into that we will be adding another large issue.

Morris: Yes. What I was after is that there have been repeated studies and committees and discussions about encouraging industrial development in Berkeley. I've wondered why so little has come of it.

B. May: Berkeley has never really faced the fact that the profitable industrial park seems to be one in which you have large space and can provide pleasant and secure surroundings, large parking space, and the other amenities that have enabled Stanford to provide what is a profitable and attractive setting.

San Leandro's success, I think, has also stemmed from the availability of large sites as well as of water, rail, and freeway transportation. We have, of course, rail and freeway but not large sites.

There's always been a kind of uncertainty about it, and recently there has been a whole series of protests from a very small group who say they are being removed unjustly, illegally, and so on, whereas the majority of the residents were glad to be assisted into better housing.

Morris: How about additional jobs?

B. May: The jobs haven't necessarily materialized, but the better housing has, because, as part of our concern for people who had to move, we appointed a housing representative for the city before we had the urban renewal project, a woman to locate housing and assist people in getting housing that would suit their family size and so on.

Morris: The other component that's often referred to in industrial parks is the availability of skilled advisors and consultants like the university. I wondered if the city council or its employee, the city manager, worked at all closely with the university and what their reaction was to --

B. May: Yes. There are many of these outfits in Berkeley but they don't need large sites for the most part.

Morris: The next major issue in terms of the physical quality of life in Berkeley is the undergrounding of the rapid transit line. Do you want to talk about that as part of land use, or do you want to leave that for another day and talk about it as an election issue?

B. May: [Pauses to think.] I think it might be interesting to do this as our final issue to be discussed. It was a dramatic change in Berkeley citizens' attitudes towards incurring debts and setting long range goals. It does relate certainly to our desire to avoid blight in Berkeley and also to the effort to make physically possible an integrated, a fully integrated, city. But the BART decision was an astounding expression of faith in the ability of a city to shape its future along new lines.

Revised Zoning Ordinance
(Date of Interview: July 17, 1974)

Morris: So, today we'll continue with the changes that the council made, in your years, in zoning and the impact they had on environmental quality.

B. May: These were all part of a total effort to bring Berkeley's plans for its future into a more realistic relationship with our stated goals. The Master Plan, for example, said that Berkeley could comfortably accommodate a population of around 120,000 with the current uses of the land. The total added population that would be admissible under the zoning for Berkeley would run very much higher than that -- 180,000.

Also, the extant zoning in districts that were labeled for single family residences in most cases admitted apartment house and even highrise development, which added a speculative value to your property if you were planning to develop it for income or for sale, but which depressed the area for single family purposes because, as you know, one large housing development, either spread out a long distance on the ground or going up in the air, changes the entire living style of a neighborhood.

B. May: Many people thought that only a few would succeed in cashing in on these speculative values and yet the single family quality of these districts would be destroyed. Berkeley had been thinking about this, at least in the Planning Department, for quite a while. In '58, with urban renewal possibilities in mind, the Planning Department made a report on the problem of blight in Berkeley pointing out the factors which led to blight and how prevalent they were in various segments of Berkeley. This was a survey of the residential zoning and led to discussion in areas which were not contemplated for urban renewal at that time.

It seems to me it might be good to talk a little bit about the urban renewal effort in one of the most blighted areas, the south campus, in a few minutes. But let's go on to residential zoning now.

This was discussed at some length during the 1961 campaign at which the liberal Democrats hoped to, and did, attain a majority on the council. A leader, as I recall it, in this discussion of what could be done for residential areas showing signs of blight was William T. "Zack" Brown.

I remember him particularly talking about urban renewal and how we might proceed with it.

Morris: Was he particularly concerned with this from his work with the Co-op credit union and its lending?

B. May: He might also have been concerned because he had lived in a very attractive part of the flatlands, but one that was threatened by and had been invaded by apartment houses, which he felt were downgrading the neighborhood.

It took some time to get the Planning Commission's interest and support and the support of the Planning Department as well. It's a lot of work to look over more than a third of the city and see what areas were too far gone -- they'd been invaded by multiple housing to such an extent that it would seem better to leave them there -- to see which areas could be easily and fully rehabilitated and which ones presented a nice question.

The theory was that, assured of protection from overbuilding, people would bring their houses up to code. This, to anticipate the story, did happen in many cases. The city, of course, pledged itself to join in, with such things as tree-planting programs and the bringing of streets and curbs up to good standards.

B. May: As I recall it, we started in the north and northwest section of the city around Rose and Milvia. Then we came across in a sort of crescent moon shape and ended up finally with the area as far east as Benvenue and Alcatraz.

Morris: That was quite a swath.

B. May: Yes. We divided this into roughly four sections and the council held lengthly sessions, meetings in the area that we were considering -- we were always running around and meeting in the area, in school buildings and what have you. Then, under the law, there was a formal public hearing at the end of the hearings and discussions. The opposition was sturdy and vociferous, largely from the real estate dealers, both black and white. There was also opposition from people who mistakenly thought that this was an effort to limit black residents in Berkeley. Our point was that, in order to protect these areas of the city from overcrowding and highrise, each of these residential-zoned areas must be discussed on its own merits.

There were, and this number grew as the project went on, persons who felt, "Sure, if I knew that a higher building was not about to cut off my light and air, I would probably plan to stay here and bring it up to snuff, and especially if the city does what it says it's going to do and plant trees and park strips in the wide streets and so on." So, the support, it seems to me, grew as we went along. But we had lively times.

I don't recall any situation that varied greatly between the four areas. Opposition came primarily from real estate dealers, from owners who from purchase had perhaps intended to convert their property to multiple housing eventually, and persons who were suspicious of the city government when it was saying, "Look, we think you ought to have what other people have who live in single family dwellings." There's always this suspicion, you know.

However, we also had constant support. It was a long, weary process; it seems to me that it took from, oh, roughly '63 to '64 or '65.

Morris: Yes. I found in the minutes for June 1, 1965, an item that a bill was passed to print amending zoning ordinance number 3018 - New Series "relating to the usage of land and buildings and height limits, yards and open spaces, and requiring permits for variance and establishing procedures and penalties."

B. May: Yes.

Morris: A bill passing to print means that the ordinance has been approved and read and is now going to become part of the official procedure?

B. May: Yes. And, of course, these went through as soon as a decision had been reached. One of the very interesting after-effects of this whole effort was that a considerable number of areas, particularly in the segments of the city that had been done first, came back and said, "We think we made a mistake. Will you come back and look at our area gain and rezone it if it seems a good plan? We'd like another hearing." It would be fun now to look back and see how many of those there were. My impression is that there were about four or five and that most of these centered around the areas on each side of University Avenue.

Morris: Zones that were part commercial and part residential?

B. May: No, you can't mix a commercial and a residential zone. But one of the defects in Berkeley's zoning, as in many other old cities, is that we have a lot of long, narrow, strip commercial zoning that backs right into family zoning.

Morris: I thought they might be mixed zones because along Shattuck and University the back side of the block quite often has houses on it.

B. May: Yes, yes. One of the theories that planners have is that it's better to stop a zone half way through the block and then begin the new zone, so that both sides of the street have the same zone.

Morris: So, is this the way some of the zones are drawn?

B. May: Yes, most of the zones in Berkeley are so drawn. One of the things that we talked about a good deal but were never able to achieve was persuading the occupants of commercially-zoned property to give that up and let us make square commercial zones. On many of our long streets -- Telegraph Avenue is one -- some kind of mixture, say, commercial uses in lower stores, two or three stories, and apartments above might be a good decision for income. But this suggestion has never caught on.

As I say, we worked and worked on zoning. I think on the whole the results were very good. It greatly improved Berkeley's housing stock and, fortunately, some loan money developed.

Morris: Would this be federal urban renewal funds?

B. May: No. The main fund that has helped over the years was called FACE, which is Federal Assistance to Code Enforcement. It has been used chiefly in the San Pablo area, where for bringing a substantial well-built but not up-to-date house up to code, you could borrow money for as low as 3 percent.

Morris: Incredible.

B. May: Yes. Some local banks cooperated in loaning additional funds, still at low interest rates.

Morris: Did the city offices help homeowners find these loans?

B. May: Yes. The FACE project was and is still operated by the City Inspection Service. They are still hoping for additional funds. This is one of the projects for which funds were voted but then sequestered.

Morris: Federal funds?

B. May: Yes. After we started, funds were not available because President Nixon impounded the money voted by Congress.

South Campus Planning

Morris: Earlier you said that at the beginning of the rezoning there was considerable interest in urban renewal.

B. May: Yes, there was. This turned out to be a project that was never brought to fruition. Much of the worst housing, the most blighted housing, in Berkeley was in the south of campus area. We established in Urban Renewal Committee and an Urban Renewal Agency and got the preliminary but not final commitment from the then Urban Renewal Agency.

Morris: This is an agency outside of Berkeley?

B. May: Federal. It's now under HEW, but it then was independent, as I recall it. These preliminary steps included the laying down of preliminary plans and these were done by local architects who knew the campus, they thought, and we thought.

B. May: To give you just a rough outline of what we wanted to do: we were going to put in two new streets north of Dwight that would come behind the commercial buildings on Telegraph Avenue and give them loading entrances and usable back doors. These streets would also take the buses and the traffic around the Telegraph Avenue shopping area, which would be turned completely into a pedestrian mall, Bancroft to Dwight.

Morris: With the access road around the outside of the area?

B. May: Yes. This would mean using part of Bancroft, you see. Bancroft was going to remain a street to carry traffic, so that the university wouldn't be cut off from bus and other services.

There were charming plans for a mall with lots of planting and plenty of seats and so on. The merchants on the whole were enthusiastic about it. In the beginning we thought there was a good deal of enthusiasm, but the students protested at the top of their shrill voices. They said we were trying to remove the students from low-cost housing close to the university. The clearing of the sites between Telegraph Avenue and the hills would, we thought, get the university off the dime to decide what they were going to do in that area.

Morris: Was some of the land that the city wanted to take for streets already owned by the university?

B. May: Yes. As I recall it, it was. Of course, any land that was taken would be compensated for; or perhaps Cal would have been willing to contribute some, because on the whole the university people liked the idea. It would get rid of a great deal of very poor housing.

But two strong elements of opposition developed. The students were greatly opposed. They said we were trying to see to it that they couldn't have automobiles, there'd be no place to park their cars; and, further, that the land that would be up for resale would be zoned for apartments and multiple housing, and that would mean that this would be a high-rent area.

Morris: Replacement housing would be more expensive?

B. May: Yes. But this wasn't realistic, because of the larger capacity and so on. Then, there were some people in the area who were delighted at the chance of getting rid of houses that they realized were exceedingly poor housing, but since there was then

B. May: no definite date as to when the university would take the land over and pay them for it, they were helpless to do anything.

Morris: About this time the university did begin to build more living space for students in that area. By Berkeley standards, it was highrise; they are six- and eight-story living units. Did this produce any comment from the city council or the planners who were downzoning things?

B. May: Yes. You see, this urban renewal business was before the university decided to put in the highrise dorms. I think the fact that the urban renewal failed --

As I say, the student opposition was strong from the beginning. Then later a move for making a mall out of Telegraph Avenue developed and students came down in support. We said, "You know, you stopped this three or four years ago by your loud outcries." They were very surprised. One of my campus friends says that what makes life on campus so difficult is that a student conviction has a half-life of one semester.

But a second factor took away the support of much of the Telegraph Avenue business community. The effort towards modernizing the earthquake code was just beginning. One of the dangers to be eliminated under the new codes were old brick buildings of which there are a number on Telegraph Avenue. However, in an urban renewal effort, everything has to be brought up to code, and this seemed impossible in the length of time and with the high costs involved. So, we abandoned it.

Morris: The whole urban renewal effort?

B. May: The whole project, yes.

Morris: The council minutes for May 18, 1965, have a note that the advisory committee informed the council that they were going to hold no further meetings until the relation between the committee and the Urban Renewal Agency was clarified. Do you remember what this problem was about?

B. May: Yes. The urban renewal structure was always a complicated one. The advisory committee was a requirement of the Urban Renewal Agency and involved what then seemed a very large number of people. As I recall it, it was more than twenty. Yet these people didn't have much to do. They had no authority. They were just to say whether or not in their opinion urban renewal

B. May: in Berkeley and in this general area would be feasible and attractive. Then they had nothing further to do until some other general question came up.

The Urban Renewal Agency had the actual financial, planning, administrative duties.

Morris: They had the clout.

B. May: Yes. Since there was also some opposition to using federal funds for any purposes on the council -- Mr. Kent and, after his election, Mayor Johnson were the chief opponents of the use of federal funds in any form.

Morris: What was their thinking on that?

B. May: They thought that if you earned it yourselves you'd be in control, whereas the rest of us thought that California always sent more taxes to Washington than we ever received in federal benefits and that this was a solution for a blighted section of Berkeley that we would not be able to swing by ourselves.

A considerable period of time and thought went into the urban renewal project, but it became financially impossible with the tremendous bill that the property owners would get and a rather short period of time to finance it, and so we withdrew at that point.

The Urban Renewal Agency remained, of course, and has gone on to the planning of the industrial park and it still seems to be having difficulties. But that, I understand, is being fully covered in some publications of the Institute of Governmental Studies that Dr. Margaret Gordon is writing.

Capital Improvement Program

B. May: During this period when we were thinking about change in Berkeley, there were some things which the city could do, we felt, on our own. We instituted a regular Capital Improvement Program under which we sequestered varying amounts of the yearly tax income to use for needed capital improvement, not maintenance.

Morris: Sort of a pay-as-you-go idea?

B. May: Yes. While several of us brought up in the League of Women Voters didn't approve of earmarked funds, the difficulty of passing bonds made it seem advisable to use current funds. At one point I think we were setting aside 17 percent.

Morris: That's a hefty chunk.

B. May: It was a hefty chunk, yes. This enabled us to go ahead with a number of projects relating to green and open space in the city -- parks and much more generous street planting than Berkeley had ever done.

After John Swingle joined the council, he contributed an interesting idea. He felt that one of the great things that could be done for an old city was to see to it that its major entrances were welcoming and well designed and particularly well planted. He was appointed, I think, in 1967. This ties in a little later, of course, with the planning for BART and the changes in Adeline and Shattuck. Beautiful entrances had been established earlier as a goal. We've done pretty well by it, including Aquatic Park to soften the entrance by the Eastshore Freeway.

San Pablo [Avenue] has not been touched as yet, unless there are some plans underway for it now, because it has been an arterial for which state funds have been used. The State Highway Commission funds are no longer spent for this purpose, but when the state turns over a street to a municipality it is supposed to be in good shape. So, this has been a complicated deal because San Pable runs through a number of communities. Berkeley, at least, would like to have it a handsome street the entire way.

Morris: Did this capital improvement idea come about in a time of rising revenues for the city?

B. May: No, no. It just came about because of frustration with the unwillingness of the Berkeley electorate to vote bonds, under the undemocratic, and probably unconstitutional, requirement that municipalities can borrow only on vote of two-thirds of the people. This used to apply to school bonds, but has been repealed.

It is an old provision in the constitution, undoubtedly an attempt to protect the property owner from the expenditures that he feared might be voted on his taxes by people who came to California for the mines or for some other temporary purpose

B. May: and then went away again. The reason I say I think it's undemocratic is because it certainly doesn't conform to "one man, one vote." It takes two votes for the bonds to offset one against them.

Morris: Did you have to cut out other things to get 17 percent of the total budget sequestered for capital improvements?

B. May: Yes. We frequently cut down on personnel. The cry of the departments was, "Even if you get these parks or swimming pools or needed buildings, where are you going to get the people to take care of them?" And there was something in that.

Morris: How did you answer that?

B. May: We just said, "Oh, you've got too many people anyway!" The tendency, of course, for any department is to look for more employees and get more employees in their section in the budget, so that if cuts are made they won't be seriously hampered. Personnel is such a large amount of the budget that that's the place you look first.

But there were things that some of us felt could be deferred and some things we could get outside funds for -- streets that needed redoing, for example. That always caused a certain amount of trouble, too, because there always were people who thought if the street was poor there'd be less traffic on it.

Morris: Oh, that's an interesting theory.

B. May: Yes. So, there were outside funds and we looked for grants and sometimes got them.

Morris: What kind of grants?

B. May: Usually federal, open space and other grants.

Morris: Did these grants bother Mr. Johnson and Mr. Kent?

B. May: Yes. You know, it's very seldom that you can get complete agreement. However, I think they were both willing to seek grants to buy -- we hoped to be able to buy some of the Santa Fe land and water in the bay, but we couldn't come to a price agreement, so we had to reluctantly give up that grant. It

B. May: can be expensive if you go to court to get property condemned. The expensive part is if the court determines that the owner should have a higher price, since you've started this trouble, you have to pay it or forfeit the expense of the whole legal operation. And knowing the Santa Fe, we felt that would be plenty. So, we took our little $80,000 and departed.

But we did do a continuing review of the city's needs. You see, putting it in the budget doesn't necessarily mean that you will be able to spend it, because you may get into difficulties like a big storm or an outbreak of violence and you simply haven't got that much money because you've got to meet some of the emergency or disaster expenses.

Morris: The budget once set is revised and adapted in the actual course of the year that it's for?

B. May: Oh, you have to. It's just like your own household budget. The price of eggs goes up and shoves it out of whack. A budget is a plan, but it isn't a fixed guarantee.

The capital improvements budget was very useful in the proposal to improve Berkeley visually and environmentally. An important feature (I must read this year's budget soon to see if it's still included was that the city pledged itself as part of this total effort to plant roughly 1,000 trees a year. This meant replacement of trees that were old.

You've probably noticed how many of the flowering fruit trees are beginning to die out. They aren't a very long lived species. But 1,000 trees added every year in addition to the street redesign is a substantial addition to the city's effort to cut down on air pollution.

Morris: Did the city have a tree planting specialist?

B. May: Yes. That's under Parks and Recreation and a great deal of work has been done on species of trees, so that we got lots of help from UC Davis and also from the various landscape people in the city. The Art Commission has a list of useful professions, from each of which so many members of the Art Commission are to be selected. Landscape design is one of those.

Environmental and Political Aspects of Rapid Transit, Model Cities, Ashby Freeway

Morris: The other items in my notes in terms of the physical environment of the city are rapid transit and Model Cities.

B. May: It seems to me that the main considerations in regard to undergrounding the tracks were noise pollution, the preservation of street space and residential values, and the avoidance of an additional south-north barrier to the easy movement of people. Here we've been talking about beauty, and urban visual qualities, in Berkeley.

I thought that in between this and the final topic of bury the tracks that we might have a brief section on the university-town relationships and then a rather long section on considerations of regional government. I hope you and others would be interested in my experience on the San Francisco Bay Conservation and Development board and BATS, the Bay Area Transportation Study, and the ABAG executive committee.

Morris: Yes, indeed. Where do you feel that Model Cities fits in here?

B. May: Model Cities had not developed in any meaningful way in regard to any of these things we're talking about during the period I stayed on the council. I think life's much more hopeful now in regard to Model Cities, but it certainly had made no practical impact on the city of Berkeley earlier except by furnishing employment for those on their staff. That may be a harsh thing to say, but that's my memory.

Morris: I think that's a memory that other people have shared, from various observations that I have heard.

B. May: Do you think we should add a little squibble about the freeway to this?

Morris: Certainly, since we do have your father objecting to freeways on Ashby and it was an issue in your first campaign. The freeway issue came up again when?

B. May: Every campaign -- the effort to keep Berkeley undivided, and as free as possible of air pollution is one I can remember from my childhood and from every Berkeley municipal campaign I've observed. That's that hardy perennial, the Ashby freeway, which would destroy many of Berkeley's best planted areas and divide by

B. May: traffic the city of Berkeley from its southern residents.

People now say that that danger is passed, but it seems to me that since it has been a hardy perennial for many years and that since it still appears on the Highway Commission's signs, if not on their budgets, that we should constantly be alert to combat it. It's also very handy for politicians, because everybody is against the Ashby freeway and it always gives you a good topic to discuss.

My father was greatly opposed to an Ashby freeway and said he was willing to lie down in front of the bulldozers at any time. I do think if Dad could do it, we can. But I'm not complacent when I still see Route 17 signs pointing on down Tunnel to Ashby. If built, the Ashby freeway would remove from Berkeley and our tax roll a greater area of land than is now occupied by the University of California and would divide fire districts, school districts, library districts, as well as people, north and south.

A more feasible plan, I have always thought, was to run instead a freeway, if needed, directly down Alcatraz, with Berkeley and Oakland exchanging any property that was isolated from its host city.

I would think that the suggestion that Berkeley share its black voters with Oakland is not a shrewd move politically. Black voters have done much better in Berkeley than in Oakland. The vote, the black vote, already exists in Oakland and would, I think, come out to the kind of, perhaps slow but effective in the end, political organization that has worked in Berkeley to produce Negro assemblymen, councilmen, and congressmen. It would be better to increase the total black representation by traditional political means.

Morris: Developing neighborhood organizations?

B. May: No, not neighborhood, but citywide organization to nominate and elect councilmen to the Oakland City Council and to work in the supervisorial districts.

We would have had a black county supervisor in the election of '67, if I remember correctly, if the black voters in the northern supervisorial district had refrained from running a number of black candidates. In my opinion, each party or political organization should attempt to choose one good candidate who represents their viewpoint to make the breakthrough.

Morris: In other words, they should work to solve those differences between candidates before it gets to an election?

B. May: Exactly. All right, go ahead, let the people who hold opposing views, if they want to, also present black candidates. But the thing that's important, to my mind, is the willingness, on the part of the candidate, to seek needed and orderly change rather than run a popularity contest between two or three black candidates.

Morris: So that all of them lose.

B. May: Yes. So that everybody loses, including the community.

Morris: Yes. I think many people have been disappointed that the supervisors as a group don't seem to reflect the changes in the community, the population.

B. May: Yes.

Morris: Well, I think that might be a good place to stop for today.

XIV BAY AREA RAPID TRANSIT DISTRICT: POLITICS AND PLANNING
(Date of Interview: August 1, 1974)

1965 Election: Peg Gordon Joins the Liberal Majority

Morris: Earlier on, you said that you felt that one of your major accomplishments was getting Peg Gordon to run for the council. I wonder if you recall at this point what arguments, either by you or by other people, convinced Mrs. Gordon to have a go at being a candidate in 1965.

B. May: The 1965 election, of course, brought up the problem that every group of "ins" has, that is recruiting added candidates who will, in the main, support the agreed-upon platform. The Berkeley liberals, or, as I notice we are frequently called now, the Berkeley left-liberals, had this problem for the election of 1965.

I would like to take complete credit for inducing Margaret Gordon, an old League of Women Voters friend and an able member of our Personnel Board, to run for the council. But others helped. This was a time -- wasn't 1965 the year of Free Speech?

Morris: Candidates would have been deciding to run just a few months after the Free Speech demonstrations on campus which had been late in 1964, and there had been the school board recall, also controversial.

B. May: It was a controversial time; but the school board recall was, most of us felt, a positive factor in Berkeley's attempt to develop on equal opportunity city. The Free Speech Movement and the difficulties between the regents and President Clark Kerr

B. May: made this an uncertain time for faculty members and many were considering leaving. Fortunately, things looked a little rosier by January and by this time a number of people had joined me in urging Margaret Gordon to run for the council and she decided to do this.

Morris: Had she and her husband, who was an economics professor, been considering leaving the university?

B. May: I would say that they probably did. I wouldn't make a statement for them, but so many people on campus, especially those with national reputations like the Gordons, would have found it easy to leave except for their ties to friends and home and the community.

Mrs. Gordon, I think, was motivated by two chief attractions: one, she had enjoyed the work and accomplished a good deal on the Personnel Board in seeing to it that Berkeley was an equal opportunity employer and she wanted to help the city in spreading this attitude further in the business community. Then, by this time, she realized, I'm sure, the intricacy and the interest in the city's remaining problems, among which was the tremendous opportunity to have a share in the planning of mass transit under the BART proposals.

This election also, I think, was interesting because it demonstrated a decided effort on the part of the Republican party to put forward a slate of their own.

Morris: This was the first time they had operated this way?

B. May: Yes. I have included in the material that accompanies this report a number of statements in regard to the undesirability of partisanship in city government and attacks on the liberal-liberals or left-liberals.

Morris: The Berkeley Caucus.

B. May: The Berkeley Caucus, for joining together and for using the label "Democrat" freely in much of our literature. The answer to this always was that Berkeley's one newspaper served as a Republican piece of literature.

I can't help remembering that one of my first stories as a candidate was paged with the obituaries. [Chuckle] I was also convinced, in the heat of campaigns, that the Gazette photographers took my picture frequently, but that they never

B. May: had any film in the camera. In between times the Gazette would quote my deathless words on some issue, but not as frequently, let me say, as they did those of councilman Arthur Beckley.

Morris: Did you and the people working with Mrs. Gordon on that campaign feel that that Republican slate of Bill Corlett, Paul Harberts, and Roy Takahashi was likely to cause serious trouble?

B. May: It's always been my view that all politicans should run scared.

Morris: Would you say that Paul Harberts was their strongest candidate?

B. May: Again, we'd have to look back and see how he ran. I would think that he would be, because he had been an effective member of the city Personnel Board.

Morris: Mr. Harberts and Mrs. Gordon had both been on the Personnel Board at the time that they decided to run for the council?

B. May: Yes. All three were conservatives who were well known in the community, but it was clear to most people in Berkeley that changes had been initiated by the Democratic majority -- the changed viewpoint toward the Master Plan, the efforts to eliminate blight in Berkeley, the establishment of the Human Relations and Welfare Commission -- and these were changes which the election showed the community as a whole supported, because our three candidates were elected -- Mr. Sweeney, Mr. Dewey, and Mrs. Gordon.

Morris: That's pretty good. Jack Kent commented that this was the best election for the Caucus. Was he referring to turning out the vote, or just to the fact that it was a clean sweep?

B. May: You'd really have to ask Mr. Kent about that. It wasn't as high a vote, if we compare the precinct reports, as the year of fair housing. Bill Sweeney, as I recall it, pulled the largest vote, as was to be expected. But we'd have to look at these reports of the vote by precinct.

Morris: There were also a whole flock of charter amendments, I discovered in looking at the sample ballot. You and Jack Kent and Joe Bort had been constituted a Council Charter Committee?

B. May: No. We had a Charter Committee which was headed by Mr. Dewey.

Morris: The ballot pamphlet, which is in that envelope too, lists Joe Bort as the chairman.

B. May: It does? Then I'm remembering a later committee.

Morris: Does that mean that there was a continuous interest in revising the city charter?

B. May: Every charter becomes obsolete in regard to some of its provisions. [Looking through campaign materials.] Yes, looking at these charter amendments which I haven't thought about for a long time -- these are adding new services, such as the authorization to use the voting machines or removing language now supposed to be obsolete.

Morris: Yes. And there was one on some changes in the recall provisions.

B. May: The change in the recall provisions had been made necessary by the difficulties over the school board recall election the previous year when it was discovered there was a conflict between the state code and the city charter.

Amendment #8 is a clarification to make very clear the city's policy that there is to be no discrimination by reason of race, color, national origin, or ancestry. Adding wording to make it clearer.

Morris: There are no opposition arguments listed. Does that mean that there was not too much public interest in these charter amendments?

B. May: That's right. And, obviously, no opposition. There is a note that: when no argument against a charter amendment is shown, none was submitted.

Morris: That's interesting in view of the controversy there has been in later years on --

B. May: Yes. But we weren't making substantive changes in the charter, with the exception of adding new state forms for accounting and adding authorization for voting machines.

Morris: Your file includes a brief summary of the money that was spent for Mrs. Gordon and Mr. Sweeney and Mr. Dewey jointly. Would that mean that in addition each candidate had other expenditures?

Berkeley City Council meeting, February 1967. Left to right: Arthur Harris, Wilmont Sweeney, Margaret Gordon, Joseph Bort, Mayor Wallace Johnson, John DeBonis, William T. "Zack" Brown, Daniel Dewey, Bernice May. Photograph by Betty Jane Nevis.

B. May: Yes. Each candidate had some mailing pieces of their own, though I believe by this time, the people who were running as a slate placed their reliance on the slate pieces and the slate platform.

BART's Planning Process

Morris: Yes. Those Caucus newsletters are very valuable for picking up on the issues. The platform of the Caucus was the only mention in the 1965 campaign material that efforts should be made to underground for rapid transit the tracks through Berkeley; but nobody seemed to campaign on it.

B. May: As I recall it, while there had been a great deal of discussion already in Berkeley in regard to undergrounding the tracks, there had not yet been enough definition of the possibilities and the route involved to make anything more than general statements.

Morris: As early as September, 1964, the council minutes report that Major Johnson was going to confer with BART officials to "find solutions to the matter of undergrounding the tracks throughout Berkeley." From then on, there seemed to be a steady stream of BART staff making progress reports to the council.

Do you recall if BART people were making a special effort to keep the Berkeley City Council informed?

B. May: BART did this for all cities, because sometime in the '50s the legislature had authorized a study of the possibilities of a system of rapid mass transit in the Bay Area. After a general plan had been worked out with some general estimates, it was to be presented to the voters. So, BART needed to get a vote from every area included in the district.

Morris: The Senate Interim Committee on Bay Area Rapid Transit Problems published a report in 1955, which says that the original enabling act was passed in 1949. So, BART has a remarkably long history.

This is off the track, but in 1953 there was a 76-day Key System strike that figured in the history of Bay Area transit.

B. May: It undoubtedly helped the sentiment for BART.

B. May: I remember in the late '50s Berkeley holding mass meetings (these may have been under the auspices of the League of Women Voters) as to some of the basic advantages, the great need to offer an alternative to the use of the private automobile, and the need to provide effective commuter services to the university, to work places for Berkeley residents who worked elsewhere, and to bring in people who lived elsewhere and worked in Berkeley. There was a good deal of enthusiasm and Berkeley was a strong supporter in the original enabling election in the early '60s.

So, Berkeley as a city was committed by public meetings to the idea of BART and entered with real enthusiasm into the planning period. Of course, the first major question to be solved was that of the route; here again was a familiar situation of conflicting views and needs to be balanced against one another.

Berkeley felt strongly that BART should not follow the freeway route along the shore of the bay, serving only industrial areas and Golden Gate Fields in Albany. Golden Gate Fields did generate a great deal of traffic, but it was a seasonal and a private enterprise. Berkeley kept pointing out the number of students at the university at that time, probably around 23,000, many of whom were unable to find housing in Berkeley and commuted in and out every day. While the horses ran only in the summer, the university generated year-round commuters and others with a need to reach the university.

After some acrimony, the BART board adopted Berkeley's plan and decided that BART would enter Berkeley at Grove, proceed up Adeline to Shattuck, and agreed at that time to place the trains underground in the main business section of Berkeley.

Morris: Was that their general approach in the other cities as well?

B. May: In cities with a large enough central shopping area they wanted to put the subway underground, only to discover that their fussy Berkeley friends said, "Nobody sleeps there." We began negotiating for a better deal for the people who lived in single family areas in Berkeley, of which there were many along the route, particularly in north Berkeley.

The subway as proposed was to begin at about Dwight and Shattuck and end at Hearst and then the elevated would go through a pleasant and well-developed single family area.

B. May: Berkeley's first proposal to mitigate the noise and air pollution that we feared was to suggest that there be a right of way wide enough to accommodate the elevated with room for planting of trees on each side to absorb the noise and then room, hopefully, for tennis and other game courts to be spread along a linear park through the rest of Berkeley. But that idea was rejected by BART.

Berkeley Decides to Bury the Tracks

B. May: We did not offer to pay for that right of way because the concept of our getting the protection we thought the city needed and paying for it ourselves developed slowly, magically. BART didn't even like it when it did develop.

But we finally decided that a subway for Berkeley would be better anyways.

Morris: From border to border?

B. May: From border to border, yes.

Morris: Do you recall who first mentioned that idea out loud?

B. May: As I recall it, and this may just be again old friendship and old prejudice, but as I recall it it came up in informal discussions about, "What to do? What to do?" and it originated with T. J. Kent. It was an idea that we had tossed around quite a bit before the 1963 election.

However, we must give a great recognition to Mayor Johnson, who was later given credit for the idea, because he put energy and vigor behind it and was perfectly willing to consider it a practical idea.

Morris: Did the David and Goliath aspects of it appeal to Mayor Johnson and the council?

B. May: [Laughter] It may have. It was an awful lot of work, I may add. Very early in this negotiation a council-staff committee was formed, which consisted of Mayor Johnson, Mr. Bort, Mr. Sweeney from the council; and Roy Oakes, the city engineer; John Phillips, the city manager, later replaced by William Hanley --

Morris: That puts this planning back in '64 or early '65, because John Phillips left in '65.

B. May: Yes. I'm sure this committee was appointed early in the discussion, because the council began to realize more and more fully that if we were going to make Berkeley a beautiful, pleasant city to live in, an integrated city with no north-south Mason-Dixon line, that we needed to take early and effective action in the planning.

So, we began by, as I recall it, getting the legislature to pass an enabling bill stating that special districts might be formed within the BART district to request special services approved by a vote of the people and paid for by the city or district.

Morris: Was it difficult to convince the legislators to introduce this enabling legislation?

B. May: No, because all it did was to say, "They can do it if they want to," and I think, through much of this discussion, almost nobody believed that we would ever succeed in passing such a harebrained scheme, as they thought of it.

Debates with BART Officials

B. May: Before we could have an election on the special district we would have to agree with BART, which had a veto power in regard to the estimates of the expense. This began a long series of hearings before the BART board and disputes in regard to: A, the practicality of having a subway at all; and, B, how much it would cost. The City of Berkeley did attempt to investigate before getting too far into this, the practicality of the subway.

Morris: You mean in terms of the engineering?

B. May: In terms of engineering and in terms of how a good subway worked. The council members of the BART committee made a trip to Toronto and Montreal to see their subways. In order to help us decide whether or not Berkeley was a suitable site for a subway, we engaged the distinguished engineer who had come out from London to do the two Canadian subways which were eminently successful. Mr. Jones did come, did give us a good deal of advice, all of it enthusiastically in favor of subways.

Morris: That was a good choice of engineers.

B. May: That's right. And he did testify before the BART board. They were still sceptical and we went right ahead preparing estimates, as did the BART engineers.

Morris: There was a great discrepancy between those estimates, wasn't there?

B. May: Indeed there was. Disagreement on labor costs, the price and amount of cement, and -- the great detail -- the cost of the excavations. I couldn't reproduce those now, but if anybody cares to know they are reported in great length in reports filed at Berkeley city hall and I assume at BART headquarters also.

Mr. Oakes, our city engineer, and his consultants came up with an estimate on a border-to-border subway at a cost of $16,000,000. BART's estimate was $22,000,000.

To anticipate the story, the underground tube has been built and trains are running through it and it cost almost to the penny $16,000,000.

Morris: That's remarkable, considering the increase in labor costs, material costs, and the --

B. May: It's been built quite a while by now.

Morris: That's true, but my recollection of the whole construction process of BART is that each stage seemed to take a bit longer than had originally been estimated.

B. May: Everybody put in a contingency estimate and we, as I recall it, there followed the advice of the legislative auditor, Alan Post, who'd already been advising larger contingency for BART. The deal in the end will run a little more than $16,000,000, because, as we went along, there were additions such as shields to cut down the noise at the exit and entrance of the subway. Another thing that rose to haunt us was that we fell into the habit of saying "border to border," but the neighboring cities would not accept the transition structures, so that there was about a block and a half at each end above ground.

Morris: Where it was rising up out of the ground?

B. May: Yes, creating problems of design. There were side issues as we went along, arising out of the BART hearings.

B. May: Even before I had been appointed to the council BART committee to replace Mr. Bort when he became an Alameda County supervisor, I was attending all of the hearings, being the only member of the majority that was free to do so, and taking notes with which Mr. Johnson's reports were frequently supplemented.

At one of these hearings there was a group of some fifteen or sixteen people who had come in to request that provisions be made for the handicapped to get on and off the trains. They were not given a hearing at that meeting because they hadn't known, hadn't informed themselves, about the way to get time reserved to testify at a meeting. So, after the hearing was over, I went back to speak with them and waved to Mayor Johnson to come and join me, and we discovered we had another cause.

We got them a hearing at the next meeting and then helped them follow through on it. The BART board said yes, that they could do it, and they picked out a certain number of stations where they would have wide elevators. Well, we said, "That's crazy. You get on in San Francisco or Oakland and then you probably find out you can't get off."

Morris: At the stop you want to get off. Yes, that does seem odd.

B. May: Where your family is. So, that caused a certain amount of distress and the Berkeley council went along with Mayor Johnson and myself, joining another cause in the middle of this, and we both, as I recall it, testified, presenting the Berkeley City Council's viewpoint, testified to very weary looks.

Morris: Do you recall any of the BART board members as being particularly helpful in Berkeley's cause, or, on the other hand, any that were particularly difficult to deal with?

B. May: [Pauses for thought.] The person, interestingly enough, who was most helpful, I thought, was Mr. Adrien Falk, who felt that we should have our underground, but felt it was simply impractical monetarily.

He said, "No city is going to vote that much money." He said if we could convince them of the estimates --

Another person who always looked cheerfully towards us was Mr. Allan Charles. His wife, Caroline Charles, had long been a pillar of the League of Women Voters. But I don't remember his giving us as much assurance as Mr. Falk did.

Morris: How about B.R. Stokes, who later became rather controversial himself?

B. May: He was against us. All of the BART staff were very protective of their estimates and their position. Except for our own propaganda, we got no recognition of the work, the estimates and supporting documents to which our staff and some of the people they consulted had testified.

Successful Bond Campaign, 1966

B. May: When the final decision arrived, BART was unwilling to engage in the election unless the amount of the bond issue was to be the $22,000,000 that they had estimated.

Morris: Sufficient to cover their cost estimates?

B. May: Yes, sufficient to cover their cost estimates, which, for a city that had routinely turned down bond issues of $7,000,000 or $8,000,000 or $9,000,000, seemed appalling. But by that time, as I recall it, the entire council was convinced, though we'd have to look up the votes to make certain of it.

We had some very interesting interviews with bond men, because the interest at which we could borrow the money and so on was a factor in all of this. One of these men not only was an authority on what kind of bonds you could sell, but also had conducted a number of bond campaigns.

He looked at us and laughed and said, "You know, your trouble has probably been that your past bond issues have been too small. It's my theory that the average person has a fairly concrete idea of what $8,000,000 is, but when it gets over $10,000,000 or $12,000,000 -- $22,000,000 doesn't sound very much bigger than $16,000,000. I wouldn't worry."

We said, "What about the campaign?" "Oh," he said, "If your community isn't with you by now --" (because of course we'd had reams and reams and reams of publicity) "-- you'd be hearing from them. I think you'll probably make it. If I were you, I wouldn't spend any money on me." He laughed and he named one or two other fine campaign firms who would have charged a lot.

B. May: He said, "I'd get together some of your local people who can write stories and get yourself a good, local campaign, hitting the things that you think people are interested in. I think you'll make it." We were dumbfounded!

Morris: In other words, you'd gone to a professional campaign consultant?

B. May: This man did bond campaigns only. He was a bond specialist. He could tell you whether you'd be likely to be able to sell your bonds, which he thought could be done with ours.

Morris: That sounds like a financial company.

B. May: Yes.

Morris: And they also have as part of their bonds --

B. May: They do a campaign.

Morris: Oh, now, that's very interesting. Of course, they can't sell their bonds to you, if the bond issue can't be passed.

B. May: As you know, the bond passed by an overwhelming vote. I have a theory about it which varies somewhat from our bond advisor. I think one of the reasons that the bond issue passed was because, for once, we'd had a long enough planning period so that the opposition, and there was opposition, had had plenty of time to present its viewpoint. We, who were so enthusiastic, had had plenty of time to present ours.

We got help from, as I recall it, almost every organization that commented on public affairs, including, for example, several senior citizen groups who wrote saying that anybody who had ever lived in New York or Chicago knew how devastating it was to be cooking supper in a second floor flat and to look out and see the elevated go by.

Morris: Yes, rattling and smoking.

B. May: And looking hungrily in at your supper. For once there had been plenty of time to talk it over. The relationship between this effort and what we had been doing in other fields was very important. One of the features I remember of the campaign was that every day the Gazette ran a statement by a Berkeley citizen and we had people from all over town.

B. May: Another thing that I think we did was get a soundtrack of the test train, which wasn't exactly fair because it was terribly noisy. We used that in our publicity; had to pay for this, of course.

Morris: BART didn't loan it to you? [Laughter]

B. May: No! [Laughter] It was run on KDIA and other radio stations that Berkeley citizens listed to.

Morris: You said there was opposition. Which points did that come from?

B. May: There was opposition during the discussions from, as I recall it, the Berkeley Taxpayers and from others who said, just as Mr. Falk had been saying, "It's a lovely idea, but it's just beyond us."

So, and this may have helped in the election too, we gave the electorate two choices: one, a lesser amount of subway; and one, the total from transition structure to transition structure. I think this for once gave them the feeling that they had a real choice in what was, after all, a very serious commitment of the city. Those bonds were to be sold in lots as the money was needed and I assume they have all been marketed by now, because the subway is completed.

Morris: But the last allocation wouldn't have had to be sold, since it didn't cost as much as the original BART prediction.

B. May: No, it didn't.

Morris: This wasn't a special election, was it?

B. May: No, it was the general election in 1966. We wanted it on the state ballot because of the larger vote.

We thought, and evidently it worked, that a general election would bring out a bigger vote and that that would be advantageous. But, of course, it was startling to everybody, though we were all feeling confident as the election approached. We were not at all prepared for the technical and other delays that have resulted from BART.

Junket to the Bottom of the Bay

B. May: [Laughter] Hilarious things happened, not as part of the bond campaign but just as part of our general madness. BART gave us many trips to see equipment and to ride on the trains and so on while this was going on. Oh, we were friendly. We had many meetings with BART staff and much exchange of kidding about the figures and who needed their pencils sharpened and so on.

But anyway, we were fascinated by the tube under the bay and, so, a group of us decided that we would see if BART wouldn't let us go down and see the tube.

Morris: While it was being dug?

B. May: [Laughter] While it was being dug.

Morris: Oh, you're brave!

B. May: By this time, we would have done anything. [Laughter] They got the first segment, the San Francisco segment, of it in and attached to the next tube.

So BART said, "Sure! Some of us will go with you. Come on ahead." It was winter and it turned out to be a very rainy day. It seemed that the contractor would not allow us in the tube while his workmen were there. So, we had to come at 5:30 and it was very cold and very rainy.

When we got there, a little north of the Ferry Building, we discovered that there was no way to get into the tube except by walking down about six flights of iron spiral ladder that would land us in the ticket-taking area.

Morris: To be?

B. May: To be, yes. We proceeded more and more shakily down these spiral steel steps and when we got to the bottom, it was just like the deepest deep freeze you've ever been in. BART had kindly provided us with a slide show on how the tubes fitted together. We'd brought women and children because this was just the council and the planning commission.

Morris: A junket.

B. May: It was just a junket and any of our friends or family that wanted to, came, up to the capacity of the bus. We got down there and [laughter] nobody could really see the slides and only a tenth of us could understand them. I looked around at one point to see the wife of one of the planning commissioners practicing a Greek dance in one corner to keep warm.

Then finally we pulled ourselves together and went out into the tube. It was lighted by floodlights which had been turned toward us, so we couldn't see anything. Of course, we saw when we were going back. But we walked. I've forgotten how long they told us it was. I would think maybe a mile or a mile and a quarter or something like that.

By this time, my little group had been joined by one of the planning commissioners and he said genially, "Well, I haven't seen a thing yet, but at least I'm going to touch it," and he leaned over to the edge of the tube and put his hand up and brought it back dripping with tar or something, just dripping with it, all over himself and his suit and so on. We mopped him up as best we could and proceeded still shivering. Then we turned around and on the way back we could see and we were inside a big pipe, just inside a big pipe, that's all.

Finally we got back and they did take us up in the elevator. I don't know why it was safer going up than coming down or what, but it was a very small cage, packed in as we were. Then we had ordered ourselves a private room at Bardelli's for dinner.

Morris: I think you deserved it after that expedition.

B. May: Yes. And there we went. You have never seen a dirtier, more bedraggled lot or more scotch ordered before innocent children who --

Morris: [Laughter] Had to sit there and shiver.

B. May: Yes. Oh, somebody asked if there weren't anything like a hot Shirley Temple and the waiter brought something or other steaming for them, hot cider, I think. But I'm in no hurry, really, to go through the tube. I've been there.

[This day's interviewing continues in Chapter XVI.]

XV THE UNIVERSITY AND CITY GOVERNMENT
(Date of Interview: July 24, 1975)

Statewide and Local Perspectives

B. May: We decided to discuss the formal relationships between the city and the university as institutions. We also should consider the impact of the students on the city, politically and through the pressure of their activities. If we're planning a brief comment, with examples, we could cover it quickly.

Morris: Yes. In terms of the city and the university as institutions the aspect that comes up most often is the fiscal relationship. Is that the one that --

B. May: But also the total planning relationship, because everything that the university does, particularly in its physical planning, has a tremendous impact on the heart of the city.

Morris: Yes, because of its location.

B. May: The university's location selected before the city grew around it and then the mass of it, not only in its physical grounds, but the mass of faculty and students, its use of the streets, parking, all of this.

Morris: When you were first on the council, was there any formal machinery for the university letting the city know what its thinking was in terms of its physical needs?

B. May: Theoretically, yes. During the history of Berkeley there have been a great variety of committees as means of communication between the university and Berkeley and they have never worked well. The tendency has been to appoint planning commissioners

B. May: and city manager and/or planning staff on the part of the city and, again, lower echelons in the university administration, frequently from Grounds and Buildings.

For neither institution is this the point at which the plans are still subject to significant change or revision. It is basically a difficult situation in which a very large institution must keep its plans geared to a state-wide system despite its local impact around each campus.

Morris: Did Berkeley as a city ever make any overtures to the other communities in which there were university campuses in order to work out as a group of communities what kinds of things did or didn't work well in relation to this state-wide institution?

B. May: I think on the whole not. Life is very short and time is fleeting. There are different relationships, I'm sure, in each location, but I'm also sure that city finance officers keep close watch on the university budget to make sure that the university does not pay for services in other cities that are not paid for in Berkeley. I think it's too bad that Berkeley citizens have always had the feeling that Berkeley gave a great deal of service to the university for which it was not paid.

As amusing sidelight on one of the use taxes adopted by our council came up with our charge for sewer service. A use tax is a fee for service and not direct taxation. This enabled the city to charge the university for sewer service in relation to the number of campus toilets. This was an answer which frequently satisfied protestors: "Oh, if you've caught the university --," and it did add an interesting hunk to the budget.

But far more important is the impact, or lack of impact, on joint planning for comfortable development of the university within the city and the hope of using the university in Berkeley's effort to make our city a varied and interesting place to live.

Morris: Are you thinking of the availability of UC faculty as consultants on city proposals?

B. May: No, the impact of the institution itself. For example, many universities have a plan of investment in housing for their faculty as well as for their students. This doesn't mean public housing for the faculty; the university has a loan policy, buys

B. May: attractive houses, and gives an incentive for faculty members and faculty families to live in the immediate area. That has been used effectively in the rehabilitation of some of the area around the University of Chicago.

But, as I say, there have been lots of committees. The one that seems to have survived through the years was the one that was largely administrative staff.

Morris: That would be more concerned with day-to-day problems rather than long-term planning?

B. May: Yes. Things like whether the street needed to be widened or not -- not where those university garages could be best placed in regard to the street structure in Berkeley, but probably the best way to make the cuts in the sidewalk and get the traffic out of the garages after they were built.

Committee on Urban Change: Problems of Planning and Communication

B. May: So, in 1964, the council decided that we would have a short-lived committee to study urban change in Berkeley, to cope with the problem of how we could meet population growth, employment, and other social pressure. So, we appointed a preliminary committee called the Committee on Urban Change --

Morris: I wanted to know about that.

B. May: -- with representation from the Chamber of Commerce, from the university, from Berkeley. It came out of discussion and a recommendation from the members of the Human Relations and Welfare Commission, calling for a study of urban change and population trends and asking the city council to " -- appoint a study committee with representation from the university, business, industry, and city government to explore possible ramification of population changes upon the future academic, economic, and social development of the city."

A great store of information was collected and we thought we would appoint a committee to plan, really, how to plan. The members of that committee were Donald L. Foley, from the planning department at the university; Nathan Glazer, another distinguished member of the university staff who you probably remember as the

B. May: author of The Lonely Crowd; John Lipscomb, a practicing architect, and a member of the board of directors of the chamber of commerce; myself, as chairman -- We didn't formally have a chairperson, but I was responsible, hopefully, to see they kept going -- Mr. James Barnes, who was then the city's planning director; his secretary, Harold de Rolph, who was the staff member of the Social Planning Department. Later we were joined by Professor Samuel A. Schaaf, representing the board of education.

We met and continued to meet. Each member of this committee wrote a paper on the main elements of change under Berkeley conditions as they saw them and the main trends that they felt should be systematically studied through the years. These included, of course, population in, population out of Berkeley, the employment in and out of Berkeley, and considered how social changes might be accommodated through expanded services or how such change might be slowed down through the development of new programs.

There was agreement that the concern should be directed to socio-economic and class problems, rather than racial ones. We felt strongly that the migration out of Berkeley in the '50s and '60s was due to a variety of reasons, many of them connected with education, but with city services also, rather than to the increase in Negro immigration, though certainly the immigration of a disadvantaged class had impact on city services, on crime, and so on.

After having recognized a number of things that the city had already done as being helpful, such as the waterfront planning and the revision of the Master Plan in regard to zoning, it was decided by the committee on urban change to recommend a permanent planning committee, hopefully made up of members with decision-making power, including representation from the university, the public schools, the chamber of commerce, and someone at a decision-making level in the city.

Morris: How about this preliminary planning group? You and Mr. Barnes obviously were well aware of the interest of the city in these matters and were at the top levels. Were Mr. Foley and Mr. Glazer on the committee because of their personal interest, or were they there with the knowledge, blessing, and encouragement of the university administration?

B. May: They had been appointed by the university administration,

B. May: primarily because they both had been studying the problems of urban change and how to meet them. They were -- in fact, we were all enthusiastic about a long-lived --

Morris: Guiding hand for this kind of change.

B. May: Guiding hand, yes. The only sceptics on the committee, really were, Jim Barnes and myself, because we realized a little more keenly the disparity between the difficulties being faced by the chancellor of the university in Berkeley and, say, by the president of the chamber of commerce. But we went ahead. The recommendations were circulated to the council and to the organizations.

Morris: What level would they have been circulated in at the university?

B. May: The chancellor. The hope was that the chancellor would represent the university. Mayor Johnson felt that though the recommendation of the committee had been to send the city manager as the person who would be working specifically ahead on how to implement the policies of whatever council was in office, that it would be important to offset the chancellor with the highest political office. They met and reviewed the material that we had prepared and gave it their blessing, in a way, and said, "Certainly these things should be considered and be considered systematically." Then, after two or three meetings, they disbanded.

Morris: Oh, what a pity!

B. May: Yes and no. I mean, it doesn't seem to me that it would work as well as having an all higher-level staff committee, men who would know what was being planned. In middle-level committees, much of the trouble arises from the fact that the plans have gone too far to do anything else by the time they are discussed in public -- and it isn't until then that they realize the impact on a neighborhood.

Morris: This is the university's plans?

B. May: The city does the same thing. My pet example is when the Centennial of the university was being planned, Geraldine Scott, a leader in landscape design, a member of the Art Commission, and a member of the university's planning group for the Centennial, suggested well in advance (the two or three years lead time that the city needs on a major project) that a graceful thing for the city to do and one that would please citizens as well as the university was to redesign University

B. May: Avenue as a fine entrance to the city and then as a beautiful street leading to one of the major university entrances, pedestrian and traffic.

So, we went ahead. We spent $1,000,000 and we fought the good fight with merchants who wanted trees at a height that would not mask their signs and trees that would have no roots so that cars could be parked underneath them. But we lived through that and everything was just going fine when we got a little note from the Centennial committee sent by Professor Michael Goodman, who had served for many years on the Planning Commission, asking if the city didn't wish to participate in this celebration and, if so, would we like to give the committee $300 to print a pamphlet on exotic shrubs on the campus?

Well, we were fit to be tied! Exotic shrubs indeed, we thought!

Morris: When you were rebuilding a major thoroughfare.

B. May: And then we discovered nobody had ever bothered to tell the university. Somehow, I suppose, we thought they'd notice. By then it was just a day or two before the celebration began, so the mayor sat right down and wrote the regents a letter saying this was our way of expressing our pride and satisfaction; and they thanked us.

But if we couldn't manage to communicate over a $1,000,000 project, which was a big project to the City of Berkeley, then, in a way, how could we expect the university to get us in on the beginning of their plans?

To return to the high style, blue ribbon committee, it held a few meetings, endorsed joint planning, but did not come up with any viable machinery. Unless these organizations are willing to set up internal machinery that communicates, I'm not hopeful. I think we'll have to go on doing our best to infiltrate university councils and that we might well pin greater hopes on administrative staff, but at a higher level than those we've consulted previously. Perhaps we should develop relationships with the university and with the chamber of commerce and so on in regard to specific types of problems in which they may be interested.

People's Park and Other Telegraph Avenue Concerns

B. May: We did make some effort to try this out at the time that students were concerned about a plot of land which had been cleared between Durant and Haste, east of Telegraph, which students were trying to persuade the university to allow them to use as a park. It was obvious from the accounts of this effort that the regents of the university took a very dim view of going into the park and recreation business. Some faculty members, chiefly ones who had been working with the city to develop more small parks related to neighborhood needs, suggested that perhaps the city could do something about this, quoting the experience in the city of New York which has been making very good temporary use of sites which have been cleared.

So, the City of Berkeley offered to rent this land from the university at a trivial sum and to conduct what we kept calling a park on it. I think part of the difficulty may have arisen because we did call it a park, which made the regents and some people living around the park think of it as a planted space with large trees and the clamor that would arise later if landscaping were to be removed.

We might have done much better, and so would the students, if we had called this area by some such term as "activity center" and had had the park administration assist people in planning various areas to be used for play space for children with removable apparatus, a place for gardens for people who thought they would like to raise vegetables, and so on, and get away from the idea of this being a permanent open space devoted primarily to --

Morris: A permanent garden.

B. May: Yes. But the regents thought that despite the city's willingness to undertake responsibility for the project, the result would reflect on the university. We had a whole day's meeting with the regents at which all members of the Berkeley City Council were asked to speak. But, as I recall, we only got three votes from the regents.

Morris: That's a fascinating picture, the city council and the regents sitting down together on any topic. Did they ask you to come and present information, like a hearing, or did the two of you meet as equal bodies?

B. May: Not as equal bodies. We came and made our offer, which they had received in writing in advance, and testified. They set us up for a very good lunch and gave us a glimpse of how the rest of the world lives.

Morris: During that period of '68 through '69, I gather there were three or four offers by the city to either lease the land or administer it, both the land on the east of Telegraph Avenue and another suggestion that the city administer another piece of university land on the other side of Telegraph as a small park.

B. May: Yes. That was a bit left over from the purchase of the old McKinley School.

Morris: Yes.

B. May: That too came to no decision at that time.

Morris: Also in 1964, in August, the council had appointed a committee called the Telegraph Avenue Concerns Committee. Was this a similar kind of an effort to involve university people?

B. May: No. This was a committee -- Berkeley loves committees, you know! This was a large committee made up of people who had concern for what was happening to Telegraph Avenue, either because they lived there, or had a business there, or were members of the Berkeley City Council. As I recall it, Dan Dewey and I went and there may have been other councilmen. I remember Bill Sweeney coming from time to time. There was a strong representation of clergymen from the churches in that area, along Dana Street.

We discussed various suggestions. I think that this did have some influence in establishing a foot patrol by policemen, though I'm not quite sure of the dates, as to whether this came after the foot patrol had been established, with some good and some very bad results. The men were required to wear name badges for a day or two, but led by a group of citizens who were still interested in Berkeley, one of them Mr. Leo Bach, patrolmen with their name badges were heckled on the street. Many of their wives were telephoned and told that Officer, let's say, Kelly had just been taken, believed to be dying, to Herrick or some other hospital. The first couple of times it happened, of course, the wives went rushing off to the hospital, only to find that Herrick had never heard of Kelly.

Morris: How dreadful!

B. May: It was dreadful. It was a period that I never could understand -- that people who were so concerned, they said, with the impact on the sensitive souls who walked up and down Telegraph, that they would be willing to brutalize the police force, that they thought they were accomplishing anything. I suspect they were just having psychological games and that they enjoyed the cruelty. I'm sure that if you tell a child he's bad, or if you kick a dog no matter what he does, or if you tell a policeman he's a brute and a pig, eventually you will have delinquent children, fighting dogs, and brutal police.

Economic Concerns: Industry, Employee Residence, City Services

Morris: This is on a different subject, but when the city council was working on plans for an industrial park, were there any overtures made to the university or any interest expressed by the university in assisting in this or in the value that such industrial activity might have for university work and students?

B. May: The university was informed and especially those departments that did industrial research, but the hopeful idea we had had of the university making investments of their own capital in Berkeley has not, as far as I know, materialized.

Another recommendation of the first planning committee was one that is still a popular one, that the employees of the university and the employees of industry be given specific encouragement to live in Berkeley, either by loans for housing assistance or other incentives. This has always been a touchy question for me, because I think it's part of my civil rights as an individual to choose where I'm going to live and this is none of my employer's business. But I can see that if it were done as, again, the University of Chicago has done it, with something that would make both the individual's life and the city's life of better quality without the residence being enforced, I think it's a hopeful indea.

Morris: It's a very interesting idea, particularly since one of the recurrent complaints that one hears in Berkeley is the amount of land that the university owns which is not yet being used for university purposes, particularly in the south campus area.

Morris: Does this make a notable dent in revenues that the city would receive if those parcels were still privately owned?

B. May: Yes, if they were brought up to code. That south campus area, the Master Plan, was probably the most blighted area in Berkeley because of the uncertainty. Property owners knew that their property would be condemned or bought.

Morris: This was property that was not yet acquired by the university?

B. May: Because the university had announced its plan to build student housing there but did not go forward, was not able to go forward on its construction budget and so on.

In all these discussions of loss of tax revenue, we must remember that the university's payroll is by far the largest payroll in Berkeley and is one of the largest in the East Bay. That payroll is spent to a large extent in Berkeley. Then students also, though they are not at all a wealthy class, spend a great deal of money for clothing, books, food --

Morris: And movies.

B. May: Yes, movies.

Morris: How about the city's services performed for the university? Is there any way to estimate that, or did the cost cause the council any anguish at budget time?

B. May: Yes, it's easy enough to estimate and the university always puts it in their budget and then the legislature takes it out. The university now has its own police and security force, so that we no longer attempt to charge them for police except for extra crowds, like graduation, football, or what have you, when it takes extra police service to supervise parking, traffic jams and so on.

Morris: Does the university contract with the city for that extra service?

B. May: When it's an ASUC activity, they pay. But when it's a straight university activity, the university does not pay.

The fire department still takes care of the campus and that's the largest item of direct expense that the city would like to have paid. It's a considerable item, you see, with now so much of the UC laboratory buildings up in the fire hazard district. Of course, much of that is in Oakland, so the expense is shared

B. May: with Oakland. But Berkeley would really have to get there first if it started, say, in the Rad Lab because it would come down our side of the hill.

Morris: Are there other financial aspects to the city of having a large institution in the middle, with the city surrouding the university on three sides?

B. May: The university, as you know, preceded the city; I think people forget that. Just as cities frequently clustered around railroad tracks, railroad stations, and then later thought it would be nice if the railroads moved. There has always been difficulty in planning for an area with a big hunk cut out of the middle. Nevertheless, as someone who lived through the Great Depression in Berkeley, I feel strongly that the income produced by the university is a tremendous asset to Berkeley, although I continue to agree with our high style, blue ribbon committee that the university could do more, largely from a policy and investment viewpoint.

Morris: Do you think that this recently established Community Affairs Committee is a vehicle that might work in this direction? That seems to have been started primarily with the encouragement of the university, rather than the city.

B. May: As I understood the accounts of the Community Affairs, it didn't sound to me like an exchange, but more an information center. But I really shouldn't comment on it because I haven't read the proposals.

Morris: Are there any other aspects of the city in relation to the university as institution that we haven't touched on?

B. May: [Pauses for thought.] We could go on at some length, I think, about the difficulties and delays in planning and about the lack of positive factors in the planning, but I think we've covered the main points.

Student Activism

Peace Parades and Permits

B. May: There is another large body of experience that we could go on talking about for a very long time, but maybe just a few examples will show what I mean. The development of the Peace in Vietnam movement, which began, I would say, certainly early in the '60s, perhaps earlier, brought a new kind of student activity into Berkeley streets.

The first parade that I recall, startling Berkeley and certainly startling the police, whose function in regard to a parade was normally just seeing that the streets were clear and they got through -- they were very surprised to discover that a group of students, without consulting them, were planning to march from the campus down to the army transport docks and picket to obstruct the entrance to the docks in protest against shipping troops to Vietnam [1962].

The parade started. Meanwhile, the Oakland police telephoned the Berkeley police and said, "We aren't going to let them come into Oakland." The line of march was to be down Adeline, and Oakland's police said that they would be waiting just south of the Oakland border. Chief Beall, who is now the head of the campus police, but was then Captain Beall of the Berkeley police force, began thinking what to do while marching down the street and keeping the children out of the way and clearing the traffic.

Morris: They accompanied this march?

B. May: They accompanied this march, as they did any parade, and we then weren't very formal about parades, especially not student parades. Well, what to do? what to do?

Captain Beall got up with the leaders and began explaining to them the situation and that his advice was not to fight it out on the border.

They agreed this seemed a great waste and, so, before they got to the Oakland border, the leaders turned aside and they marched down toward the waterfront.

Morris: Still on the Berkeley side?

B. May: Still on the Berkeley side. After they had walked down to some point, and I've forgotten what, at which there was a fairly large open space, the leaders spoke to them and said that they would now break up and people who wanted to could go on their own, but there would be no parade through Oakland and no fight at the border.

This of course would only serve for one parade. So, the City of Berkeley had a long discussion of what should be required in a parade permit and this did bring discussion again of people's right to demonstrate. It was finally agreed that the permit would have to be asked for a reasonable number of days in advance, the number of days specified, so that the police would have time to review the line of march and see whether it could be allowed as peaceful or not. The estimated size of the parade was to be given and the time and starting and dismissal and any other practical details.

The permit system has worked fairly well, though there have been people, and these were particularly students from the Free Speech Movement, Mario Savio and others, who said that the streets belong to the people and that there was certainly no need to acquire a permit.

Morris: You're saying that prior to these demonstrations in the early '60s there was no ordinance on a permit for a parade?

B. May: No. There was no requirement.

Police Procedures

B. May: People who were having a large parade, which were frequent in the Berkeley of my youth, just came in and asked for police help ahead of time, but they were not legally required to do so.

Morris: It reminds me of my PTA days when I was told to go down to police headquarters and get a noise abatement permit. The officer on duty laughed uproariously. He said, "No, what you want is a permit to make noise!"

B. May: So, then a variety of troubles with permits and parades, almost always over the route, because it is very difficult to stop buses

B. May: or to send a parade up a shopping street on a Saturday afternoon and so on. But many peaceful parades have been held and several riotous ones have been held.

Morris: "Riotous" has a number of connotations, too -- the enthusiastic turbulence of a football victory celebration and then some of the ones that deteriorated into violence over the years.

B. May: Yes.

Morris: In these early '60s and on through your time on the council, the university was also continually negotiating its arrangements or regulations with the students regarding meetings and speakers and demonstrations.

B. May: Yes. This related to demonstrations on campus or near the campus. Then to add to the difficulty during a period when students had been occupying buildings and acting to close Telegraph, or at least the mall in front of the student union, the governor of the state, Ronald Reagan, sent in, without consultation with the city, the National Guard.

Morris: I remember that as being a cloudy issue at the time. In the Institute of Governmental Studies archives, I found a People's Park chronology by Gar Smith; he refers to a number of incidents relating to that. Apparently, in February of '69 there had been a third world strike and Governor Reagan declared a state of emergency then, which was still in effect in May.

B. May: Yes.

Morris: Did the city ask him to declare a state of emergency?

B. May: No. We asked the guard to go home. We had a good deal of trouble getting into city hall, which was guarded. We felt that the local police were more accustomed to handling students in street demonstrations than the National Guard could be, and that, if need be, we could call on other police forces in the area under mutual aid agreements.

The long, unfortunate demonstration [People's Park, May, 1969] in which a number of people were injured and one man killed by gunfire from the street represented, it seemed to us, wrong on both sides with no meaningful effort at conciliation. We weren't always successful, but when a parade permit or other demonstration was refused, we usually held a public meeting so

B. May: that the decision of the police department could be appealed. Now, this didn't always work and people who wanted to march or demonstrate didn't always agree that they should do this on wide streets and wear --

Morris: Armbands or other identification.

In a situation which got as uncontrolled as those People's Park days, did the council maintain contact with the Berkeley Police Department and the campus police department, who presumably would be the first --

B. May: Primarily with our own police department and they carried on the negotiations with the campus police. Our theory was that we made our decision and brought our pressure on the forces that we could control and that they would do better in negotiating mutual aid with another department.

Morris: Did you work out any guidelines with the Berkeley police as to how you would hope things could be handled?

B. May: Yes, certainly in general terms. The council members, particularly I recall Mayor Johnson and Bill Sweeney, spent a great deal of time in some of these tense days in which there was violence on the streets, letting people realize that they were there. I did some of this, particularly on Telegraph Avenue, walking on the sidewalk to see the parade or walking through the demonstration, if it were one of those rare days when we did allow Telegraph Avenue to be closed. This became increasingly difficult as students began to withdraw from the use of violence, except those who considered trashing a pastime, trashing being breaking windows and turning on fire hydrants and so on.

Unfortunately, a good deal of this violence was then taken over and practiced by youngsters of high school age.

Morris: During that same period in May of '69, when the troubles went on for over two weeks, high school students were drawn into it?

B. May: Yes, and have continued to be.

Morris: For a couple of years thereafter the idea of marching to protest was adopted by the high school and junior high school students. Did any of those younger student groups ever come to the city for a parade permit when they were going to march from their schools to the Board of Education? That was the usual route.

B. May: Yes, I believe that they did. I remember one in particular when they marched from Berkeley High School Campus to Burbank [West Campus, Berkeley High School] and back.

Morris: Did you go along on that one too?

B. May: No! I didn't go to all of them.

Morris: I see. What was your reaction to being on the spot during some of those demonstrations?

B. May: Well, I must say I wasn't happy. I was far happier when I went to see the parades that were carried out with marshals and peace and flags and children, because the violence that has been done to the business areas of Berkeley has had a lasting effect. Berkeley has always been a town in which you could start a business fairly easily. Rents were low in comparison to shopping areas in San Francisco or downtown Oakland and there were lots of "mama-papa" stores. There were also lots of young people's stores and these have continued, but not in such numbers. When your windows are broken and your display is ripped off, that is a considerable handicap.

Morris: You're thinking of the Telegraph Avenue area?

B. May: Telegraph Avenue and also parts of Shattuck, which have been trashed again and again, and it hurts the small, struggling business much more than it does the bank -- not that I'm advocating breaking bank windows! I don't want them to break anybody's windows, but they have changed the characteristic look of many Berkeley streets. Many businesses in Berkeley now are franchised.

Morris: Dating from about that time?

B. May: Yes. And this means that a number of old businesses have just closed up and left. Sather Gate Bookstore is one I particularly miss on Durant.

Morris: That was quite a Berkeley institution.

B. May: Yes. And another which I perhaps can't lay to the doors of the trashers, but rather to modern diet, is the Donut King. Donut King was on the corner of Haste and Telegraph.

Morris: Yes. And they made donut holes, the little tiny ones.

B. May: For years and years and years -- a fine place. They're gone. The little man who had the cigar and news stand on the corner of Bancroft and Telegraph for so many years is gone. That's where you'd get your New York Times and other publications. He was a longtime Berkeley citizen and very interested in Berkeley politics.

Morris: With your New York Times did he give you suggestions or expressions of opinion on Berkeley affairs?

B. May: Often. But my chief memory of that stand, however, is in relationship to my dog, then a puppy, during a very long strike of the New York Times. I went in to get a Sunday Times for me to read and the puppy to train on and, lo and behold, there were none. So, I said to the proprietor, "How do you expect me to train a puppy."

"Oh," he said, "I have the answer to that. Here, I'll give them to you. I've got the Sunday supplements which they send in early and nobody buys the supplement without the Times. Here, take home an armful." [Laughter]

Morris: [Laughter] Oh, that's lovely.

B. May: So, my pup Tibby --

Morris: Had very intellectual beginnings.

B. May: Very intellectual! The art and music section of the Times, just the thing!

Morris: There was another aspect to the outside crowd control during the People's Park that raised a lot of controversy at the time and that was the Alameda County Sheriff's deputies. Was the fact that county officers came in something that the council could comment on or request?

B. May: The county officers didn't come in. Those were the deputies out at Santa Rita. This is where any municipal police force in Alameda County must take prisoners who are going to be held. During one of these major demonstrations when a great many people were arrested for fighting, throwing rocks, breaking windows --

Morris: Over four hundred. It was one of the days when the crowd moved from campus down to Shattuck Avenue and they arrested, I think it was 423 that day.

B. May: They, of course, were turned over to the sheriff's deputies, who were also embarrassed by the sheer bulk of the prisoners. They didn't have enough holding cells to put them in. So as the mass arrestees were being processed they were ordered to sit outside with their hands behind their necks or to perform other standard crowd detention devices.

The council on this occasion recognized that we were not qualified to judge these methods and that we had no immediate power over the conduct of the county jail. So we asked the Alameda County Grand Jury to investigate. They did, and issued a report which has had some but probably not profound influence on the treatment of prisoners. If a detention institution is set up for population that comes in ones or twos or fives or tens and then has to switch to nearly 500 at a crack, it's in trouble. The city, again, as you know, also had long discussions as to the appropriate weapons -- more accurately crowd restrainers -- that would be appropriate and safe to use on the streets.

Morris: This was during the demonstrations?

B. May: During violent street demonstrations. This, too, is a difficult thing. You have great sympathy for the people who are being roughed up on the sidewalk, hit by rocks and so on, and yet there is great protest against the various devices that are recommended for controlling a crowd.

Morris: Yes. There seemed to be different guidelines for each group of officers. The Berkeley police maintained they didn't have authorization for, nor supplies of, ammunition. Other units seemed to have not only ammunition and heavier guns, but tear gas and other materials. Did this cause any difficulty from the Berkeley police's point of view?

B. May: As I recall these discussions, the Berkeley police have always agreed with the council that an officer maintaining order in the streets should not be armed, that only in dealing with armed crime should the officers go out on patrol with their arms and then under very strict restraints as to the use of arms. A great many people point at Great Britain and say, you don't really need to have your men armed. But the thing that they forget to notice is that Britain has very strict gun control laws and that up until recently their criminals were not armed. But I read that now they are armed and the London crime squads are also going armed.

B. May: We had a period of using tear gas and another period of using mace and we got a great deal of conflicting medical testimony as to how harmful or how beneficial these weapons were.

Morris: This was prior to 1969?

B. May: Yes.

Morris: Did the council make a decision on using tear gas and mace?

B. May: Yes. We authorized tear gas under what we hoped were sufficiently strict standards and in the end did not authorize mace because it requires very prompt treatment, difficult to give in a mass situation. There's always the cry that the tear gas should just go down the middle of the street and not on the sidewalk where, "All I was doing, Officer, was watching!" You would think or you would hope that some of these people would have sense enough to come in out of the rain and go home.

Community Attitudes

Morris: Did you get any considerable expression from individual citizens about either the way things were being handled or the way they were not being handled?

B. May: Yes, both. Very few moderate voices were ever raised. Conservative people didn't believe in breaking other people's windows under any circumstances, thought that the police were far too lenient, and that merchants and (as they said) decent people wanting to shop were very much interfered with. Then there were other people who said that the participants in demonstrations were fighting for causes that they believed in and that they should be allowed to demonstrate in any way they found effective.

Morris: Were these points of view reflected on the council?

B. May: No, I would say not. The council during the time that I served on it was for peaceful demonstration, free speech, but against violence in any form.

Morris: You must have had non-stop council meetings during that two-week period. Monday, May 26, after the council had voted to ask for

Morris: an investigation of Santa Rita, eight to one for it, and to remove the National Guard, eight to one, the next day there was another meeting at which somebody still wanted to have a parade?

B. May: Yes.

Morris: And who was it that wanted to have that parade and how did they convince you to waive the filing period? There was a twenty-day filing period before you got your parade permit.

B. May: Do you remember the organization that was asking for it?

Morris: This People's Park chronology does not list it, but I think it would have been the moderate group that called itself the Telegraph Avenue Concerns Committee (although I recall it as self-appointed, rather than a continuation of the council committee). I recall they wanted the parade both for Memorial Day and also as a sign that we were coming through the troubles. Mayor Johnson said it would be a "march to disaster."

B. May: We voted to approve a waiver and then it went back to the chief of police who would grant the permit if his only reason for objecting to it had been the inadequate --

Morris: The time lead for a permit.

B. May: Yes.

Morris: It was remarkable, I think, that any group felt brave enough to wish to have a march right after all of the troubles. Apparently it was a very peaceful one, even though there were still extra police around patrolling it.

Young People's Involvement in the Community

Free Clinic

Morris As I recall, it was during that particular disturbance that the Free Clinic was started, which has gone on, and several other of what are now called alternative services.

B. May: I thought the Free Clinic had started earlier than the street disturbances. But the Free Clinic was certainly considered by

B. May: the police to be exceedingly uncooperative.

Morris: Uncooperative?

B. May: Yes, uncooperative, that they knew of plans for violent demonstrations, got in extra medical supplies themselves, but did not let the police know that there was likely to be trouble, which, of course, from the city's point of view is a mistake. If you know that trouble is afoot, then you do get in supplies. You try to have the stablest and the best men on the ready.

One of the very frequent accusations against the Free Clinic was that they would harbor and smuggle out anybody who was running from the police and hopped in there. But I had thought that they had been set up primarily as part of the be-kind-to-drug-users movement because they felt that the drug user who went to the city clinic at Herrick was automatically turned in to the police. This happened not to be true, but they never learned it.

Morris: From the council's point of view, when the concern about drug abuse began to crest, was that generally associated with the student population?

B. May: Not exclusively university students -- high school students, Telegraph Avenue habitués, drifters. That very difficult first period of drug abuse when LSD was being touted -- I think it is true that some, at any rate, university students were users.

Morris: But when requests came in for the city to approve and fund drug treatment, it was not primarily related to the student community?

B. May: No, certaintly due in part to the Student Health Service.

Morris: During these years, in addition to the recurrent student disturbances, were there other things the students were doing that either brought them to the attention of the council or to you as an individual?

B. May: That's an absolutely charming question, because it does seem to me that we neglect to mention that all through this period of riot and disturbance, a crowd of 2,000 or 3,000 was unusual. That's a large crowd to be running up and down the streets throwing rocks. At the same time there were, most of this time, 27,000 students registered at the university. So, it was always a comparatively small group who used violence. They were a very destructive group, both in the community and on campus.

Own Recognizance Project

B. May: Then, at the same time, there were many student groups who developed projects which were of great assistance to the city. One of the ones that came along towards the end of the '60s was the student project housed and sponsored by Stiles Hall.

This was the Own Recognizance, which meant that if a judge were unwilling to issue a citation and required bail, the Stiles group interviewed the student or other young person on his first arrest, and found out what the chances were of his staying for his trial. They talked to him and to his attorney and eventually to the judge and succeeded in the release of many on their signing of an appropriate document that they would indeed return for trial. There have been very few who have -- you can't say "jumped their bail" because they didn't put up anything -- but there are very few who have run away.

The citation process is much easier for the city to administer and it works well. That is, the arresting officer has the option of citing a person for a minor offense if he's employed, if he has a stable residence and so on in Berkeley.

Then there are really many hundreds of students who volunteer for work in hospitals, for work as resource volunteers in the schools, and for those wonderful one-shot deals which do so much for the appearance of the city. A little younger than the groups we've been talking about is the Boy Scout group that cleans up Telegraph Avenue every year.

Morris: Now, do they come to the city council and get a permit to do this?

B. May: They notify the city council, though of course what they're doing is legal. They're taking posters and other things down.

Then there is another group, which I think is usually an impromptu one started by some good environmentalists, that cleans up the beaches along Berkeley's waterfront. This is Santa Fe property, but never kept clean, and it greatly adds to the appearance of the waterfront.

Morris: Going back to the Own Recognizance project for a minute, I wonder if you have any observations as to how the police and the young people coming in to establish an OR line of

Morris: certification for somebody who had been arrested -- how do they get along?

B. May: Oh, I think all right, but they don't have much contact. You see, after the policeman has made the arrest without a citation, either because of the seriousness of the crime or because he can't quickly establish justification for citing, he's turned his arrestee over to the court. The OR negotiations are primarily with the Berkeley-Albany municipal courts, or in the courts of individual judges.

Morris: While you were on the council working with the appointments committee, was there any interest in or effort to appoint students to boards and commissions?

B. May: We had a little experience there, not very successful. It was very hard to get recommendations of students out of so large and unsorted a mass as that 27,000, and the university schedule doesn't really fit into the city schedule of meetings, so that you would have to be braced for quite a lot of absenteeism.

High School Issues

B. May: We had limited but I would say more success with high school students, seniors usually, who lived in Berkeley and who often came to the attention of the appointments committee through their activity on the Berkeley Youth Council, which was one of the projects of the Social Planning Department and for which we got some Rosenberg money.

Morris: What age primarily did the Youth Council concern itself with?

B. May: High school. The Youth Council would make recommendations and give advice to the council every now and then.

Morris: Can you recall a time when they came to the council and what they were talking about and how some of your fellow councilmen responded?

B. May: I recall their coming especially about the use of the Civic Center Plaza for eating lunch.* There had been a Berkeley High

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*Civic Center Plaza was generally called Provo Park by students of all ages in the 1960s. Ed.

B. May: regulation that students should not at this time leave the campus for lunch. I believe that no longer obtains because I certainly see students up and down Shattuck as well.

But we felt on the council that there was certainly no reason why if people wanted to brown-bag it on the lawn of that plaza they shouldn't do it. So, we said we would approve this and facilitate it. One of the things that was done was to close Allston Way for parking during the lunch hour, and also to forbid stopping because the Berkeley High School people said that it wasn't their students who caused disturbances, but that students from other schools came by and picked up Berkeley High School students for rides.

Morris: I think it's very hard for adults to look calmly on large groups of young people packed into cars anyway.

B. May: This is nothing new. They've done it all my life in Berkeley and at least, it seems to me, today they don't crowd so many people in the cars as they used to. Cars were scarcer. And then, if you must know, when I went to Berkeley High School we got into trouble because of standing on running boards.

Morris: Oh, that's a fine institution.

B. May: Well, we were all a little sobered when one of our classmates at Berkeley High was killed falling off a running board while the car was running. He lost his grasp. My mother at once issued a ukase against standing on a running board. Since I wasn't a very brave little girl, I was glad to get inside.

But, at any rate, you can see how disruptive roving boys in automobiles stopping by a campus would be -- not necessarily that anybody would be hurt, but it almost follows as the night the day that students would be late to class or maybe not come back at all that afternoon.

Then the Youth Council made rather frequent recommendations about recreation equipment, hours and dances, and so on. All of these things were important and fine. The private high schools belonged to the council, too, which we thought was a good thing.

Morris: Were they usually unanimous in their presentations, the public high school and the private high schools?

B. May: I doubt it. I only attended a few of the sessions, but the

B. May: noise was usually great as you went past the council chamber where they were meeting. The Youth Council took much interest in the Sister City project, sent representatives to the Berkeley-Sakai Association and were helpful with the student groups from Sakai.

Imagine, however, the horror of some of us when we discovered that one of the reasons that Sakai was interested in Berkeley was because it is, like Sakai, a close neighbor of a great port. One of the civic projects of which Sakai is very proud is filling in their bay to add port facilities and industrial development of their own.

Morris: And they wanted to see how we did it here? Fill?

B. May: Yes. We said, "We're against fill here."

Morris: Did you make any converts to open space?

B. May: I think not.

A Long View of Student Disturbances

B. May: Going back to look at this period of student activity and violence on and off campus, it was a difficult period to have a moderate approach which would consider and protect the rights of both sides. While the violence was regrettable, it has not been unknown for other causes at other times for students. When I was an undergraduate at Cal it was the custom every year at a certain point in the football season -- everybody left a rally on campus, all the men at any rate left a rally on campus, and went down Telegraph Avenue taking streetcars off the track and lining them up midstreet and so on. Then they went to Idora Park, a large amusement park down on Telegraph Avenue in Oakland in the district that oldtimers call Temescal, after the Indian mounds that used to be there.

Well, the UC students soon made mounds of their own. They took the park to pieces and every year ASUC had to pay for refurbishing and rebuilding a great deal of Idora Park. My father always said that this was brought on by Idora Park's provocateurs. He was perfectly sure that it was part of their budgeting for a new decor.

Morris: Oh, that's marvelous.

One last question on students and the city. Seymour Lipset has a chapter in his book on the Free Speech Movement,* in which he documents earlier disturbances. Tieing back in with what you said way back in the beginning about your feelings about World War I, I hadn't realized there had been so many recurrent protests against war, for peace.

There was a steady series of arguments with the regents as to whether ROTC would be voluntary or compulsory and some of that erupted into disturbances on campus. Did any of that flow out into the city during your years on the council?

B. May: I don't remember that being a city-campus question. Those demonstrations were largely on campus. It was a push between alumni and current students and the university administration, the university saying that that's the way they got the land -- it was a land grant college, as you know -- and the alumni saying that if there was any way to inculcate a hatred of war it was to make students drill every day, and eventually they won. Apparently Washington didn't want the University of California back, because it's never repossessed it.

Morris: It would be rather difficult if they did. They'd have a whole slew of land grant colleges to retake.

Well, I think we've covered a lot of territory today.

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*The Berkeley Student Report.

to continue BERKELEY'S PROGRESS to meet new challenges with workable new ideas!

Elect
RONALD DELLUMS

and

Re-elect
BERNICE HUBBARD MAY

To Your Berkeley City Council April 4

...FOR UNITY IN OUR COMMUNITY

friends & neighbors from all around town say: "Keep the Elevated Tracks Out of Berkeley"

Dr. Fred Stripp

Frankie Jones

Larry Wells

Mary Jane Johnson

Ray Norton

William T. "Zack" Brown

Bernice Hubbard May

The Hon. W Byron Rumford

SEE FOR YOURSELF

VOTE YES ON A•B•C Oct. 4

VOTE YES ON ALL THREE

"We Want Subway All the Way — Border to Border"

Citizens Active in Community Affairs Back

BERNICE HUBBARD MAY

Dellums, May Yes on A

May-Dellums Reception

Berkeley City Councilman Wilmont Sweeney and the Honorable W. Byron Rumford co-hosting a free reception and entertainment for V. D. Hubbard

Mark Your Calendar!
Vote Tuesday, April 4
DELLUMS, MAY,
YES ON A

COUNCILMAN (Full Term—Four Years)	Vote for Four
RONALD V. DELLUMS, Social Planning Consultant	X
BERNICE HUBBARD MAY, Incumbent	X

Endorsed By Councilman Wm. T. "Zack" Brown, D. G. Gibson, Otis Green, Mary Jane Johnson, Eugene Jones, Assemblyman John Miller, Harry Overstreet, Hon. W. Byron Rumford, Councilman Wilmont Sweeney, Hachiro Yuasa.

Bernice Hubbard May is respected throughout the State and Bay Area for her work in conservation, civil rights, child care and her participation in civic and State organizations. Our distinguished Councilwoman is listed in "Who's Who of American Women." She is one of only two women members on our City Council and has been an invaluable hard working member for 8 years.

Bernice May and Ron Dellums Endorsed by Local Democrats

Berkeley Caucus Endorsements Announced

Elect
RONALD DELLUMS &
Re-elect
BERNICE HUBBARD MAY

ROY NICHOLS

A family man with a community interest . . .

Berkeley resident for 19 years
Three children in Berkeley schools: ages 12, 13 and 15
Wife, Ruth, active in PTA
Taxpayer and homeowner
Educational background
A.B. Lincoln University, Pennsylvania,
B.D. Pacific School of Religion,
President of Student Body in both schools,
D.D. (Hon. Doctor of Divinity) University of the Pacific
Minister, Downs Memorial Methodist Church
Honorary Life Member, PTA
Governor's Committee on Children and Youth,
Grand Jury, Alameda County ('54)

Community Participation:
Berkeley Community Chest Board of Directors '45
Chairman of the South Berkeley Community Council '46
Berkeley Co-op Board (Mgr.) '51
NAACP Board of Directors '57
Stiles Hall (UC YMCA) Advisory Board '58
Goodwill Industries Board '58
State's Committee on Interracial Problems '58-'59
Mayor's Committee on Civic Improvements '59

Committee to Re-Elect Bernice Hubbard May

832 Shattuck Ave — LA 6-1767 — Berkeley, Calif. 94707

Berkeley City Council Election — Tuesday April 4th, 1967

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• to continue BERKELEY'S PROGRESS
• to meet new challenges with workable new ideas!

RE-ELECT

Bernice Hubbard May

To the Berkeley

CITY COUNCIL

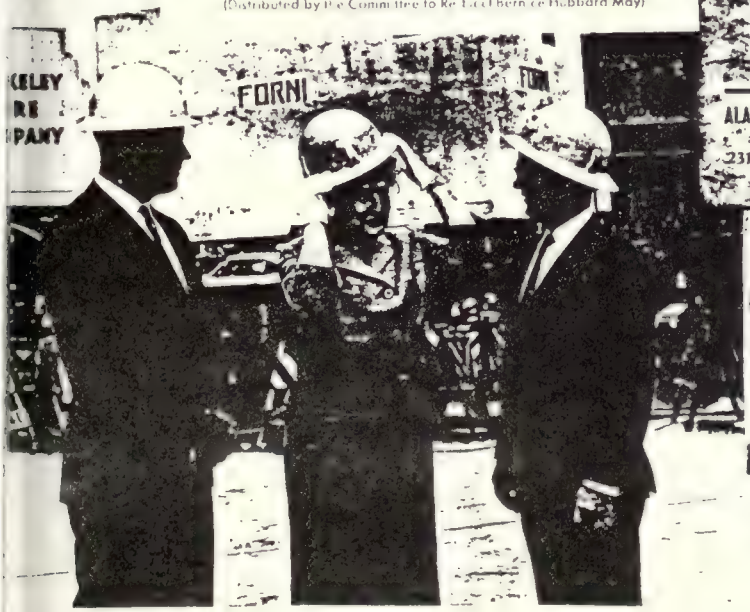
Bernice Hubbard May is respected throughout the State and Bay Area for her work in conservation, civil rights, child care and her participation in civic and State organizations. Our distinguished Councilwoman is listed in "Who's Who of American Women." She is one of only two women members on our City Council and has been an invaluable, hard-working member for 8 years.

VOTE FOR THEM BOTH ON APRIL 2

Bernice Hubbard May . . . . . ☒

Fair Housing Ordinance . . . . FOR ☒

(Distributed by the Committee to Re-Elect Bernice Hubbard May)



YOUR LABOR ENDORSED CANDIDATES

BERKELEY MUNICIPAL ELECTION
TUESDAY, APRIL 2, 1963

MAYOR
FRED S. STRIPP

COUNCILMAN
DANIEL DEWEY
ARTHUR HARRIS
BERNICE HUBBARD MAY

AUDITOR
NO RECOMMENDATION

SCHOOL DIRECTOR
NO RECOMMENDATION

REFERENDUM MEASURE

Ordinance No. 3815-N.S. entitled "PROHIBITING DISCRIMINATION BECAUSE OF RACE, COLOR, RELIGION, NATIONAL ORIGIN, OR ANCESTRY IN THE SALE, RENTAL, LEASE OR OTHER TRANSFER OF HOUSING ACCOMODATIONS; CREATING A BOARD OF INTERGROUP RELATIONS; PROVIDING FOR INVESTIGATION, CONCILIATION AND PUBLIC HEARING OF COMPLAINTS OF HOUSING DISCRIMINATION; AND PROVIDING PENALTIES FOR THE VIOLATION OF THE PROVISIONS HEREOF."

FOR THE ORDINANCE ☒

ALAMEDA CO. COUNCIL ON POLITICAL EDUCATION
AFL-CIO
2315 VALDEZ STREET — OAKLAND

Bernice Hubbard MAY

COUNCILMAN

DANIEL DEWEY School Principal	X
ARTHUR HARRIS Incumbent	X
BERNICE HUBBARD MAY Incumbent	X

- Experienced
- Respected
- Hard Working

IN APRIL VOTE FOR MAY

Berkeley Municipal Election, Tuesday, April 2

IN APRIL VOTE FOR MAY

Re-elect BERNICE HUBBARD MAY

YOUR BERKELEY CITY COUNCILMAN

XVI NEW POLITICAL WINDS

[Continuation of interview of August 1, 1974.]

Third Council Campaign, 1967

Morris: By 1967, you had been through several turbulent times -- the Free Speech Movement, the Fair Housing Ordinance, and the Bury the Tracks battle. Did you have any feeling that you'd rather not run for a third term?

B. May: Yes, I did. The difficulty was again, getting sure-fire candidates. We needed only two. People thought I could be easily re-elected and I was. We wanted to add another black member to the council because, you see, up till this time Bill Sweeney was the only one. After much talk, I said that I would run again. Arthur Harris was retiring for very sound personal reasons. He regretted this, of course, I'm sure, because he had been at it some twenty-six years. But his wife was ill and hospitalized frequently. Their boys had grown beyond babysitting age, and Art said he thought it was important that one parent should be around with no question about it.

Morris: Who was the second black candidate who appealed to the Caucus?

B. May: Ron Dellums.

Morris: And where had he come from?

B. May: He had lived in Berkeley some time and had been chiefly a student or a consultant. He'd worked briefly for the School of Social Welfare on the Cal campus.

Morris: Did Mr. Dellums appear before the Berkeley Caucus?

B. May: Yes. At the time that he was proposed to the Berkeley Caucus, he had just been granted a graduate scholarship to Brandeis University. So, he had the difficult decision to make as to whether or not he wanted to abandon the scholarship and run for public office. After thinking about it, he decided that he would run and he turned out to be a very attractive candidate indeed. There was a certain amount of unhappiness among some members of the Democratic Caucus because he was, without seeking the endorsement, endorsed by the --

Morris: The Committee for New Politics?

B. May: It was that year's student organization.

Morris: I'm thinking of the group that ran Robert Scheer as the candidate against Cohelan in the 1966 congressional campaign. Is this the same group?

B. May: I think many of the members were the same, under a different name -- Students for a Democratic Society. Ron, as I recall it, had not sought their endorsement, but, as you know, any candidate welcomes an endorsement. He is not necessarily supporting the slate or the platform of the endorsing organization.

Morris: What was the Caucus' concern about the student organization?

B. May: This wasn't a matter of general Caucus discussion, but there was a feeling on the part of some Democrats that their candidate should not be mixed up with a group that they considered more radical than they wished to be.

Morris: What were the general ideas of this new group?

B. May: As far as I've seen in reviewing the campaign material (I did not file their folders), I would say that the chief difference that appeared to me between their attitude and that of the Caucus was in regard to what constitutes representation. I believe that the Democratic Caucus, as well as the Democratic party, believes in a pragmatic approach to the actual situation and the needs of the time, rather than basing your program on an already-arrived-at formula. Students for a Democratic Society appeared to follow rigidly the program of Fabian Socialism as developed by Bernard Shaw and the Webbs.

Morris: Did they make any sizable showing in that election?

B. May: Again, we'll have to look at the precinct votes, the total votes. Mrs. Hancock was running at that time and was endorsed by Students for a Democratic Society. She was not elected. Dellums, as far as I can recall it, was the only person that they supported who was.

Morris: Because he had more general support?

B. May: Yes. He had not only the Caucus' general support, but the advantage of running with an established candidate and with a campaign that did bring in money.

Morris: Earlier, in talking about campaigning with Roy Nichols, you said that sometime you would both go to the same house meeting on the same night and that your scheduling chairmen worked together. Did it work that way with Mr. Dellums in '67?

B. May: Oh, yes. We too sometimes went together and stayed the whole evening at one meeting, and we sometimes exchanged halfway through, so that he could speak in one place while I was speaking in another. Of course, we each had some meetings where only one of us was invited.

Unfinished Business

Morris: What kinds of questions were you getting from people at the house meetings in '67?

B. May: The main issues, I think, were the uncompleted business that we'd been working on in Berkeley for the last six years. We still had much to do on the waterfront. We still were trying to make a practical capital improvements program work on a pay-as-you-go basis. The question of the purchase of PG&E in Berkeley was coming up more strongly than ever and was to be on the ballot, I think, the next time around, but it was being debated during this campaign.

Morris: What did you think were the merits of that proposal?

B. May: Very poor, I thought, because what was proposed was not the purchase of a unitary system, but that we were to cut a chunk out of a network which covered a much wider territory.

B. May: It had been supported by our previous city manager, John Phillips. It's a typical city manager proposal, because it increases his staff and his share of the power. It gives him a big management field to undertake. I was interested to read that the present city manager of Berkeley, John Taylor, is not supporting it, very much for the same reasons the council majority were against it in the past. It would mean paying not only today's prices for what was constructed in a very different period of time, but it would mean paying severance charges for a great deal of the system. Alameda and Palo Alto built their own generating systems.

Morris: I wonder if Mr. Phillips would feel comfortable supporting this project in 1974, when it is a major crusade of more radical political organizations.

B. May: I don't know why not.

Morris: A city manager you think of, as you say, as concerned with administering the status quo and a smoothly running, agreeable environment.

B. May: Yes. Of course, he disagreed with the earlier estimates (as I think he would with today's estimates) that it would begin to return income to the city at once. The cost of purchase and interest at today's rates seem to me even more prohibitive than they were when we considered it several years ago.

There is also some consideration to be given to the social costs. The change would mean a reduction in employment by PG&E, with a loss of service time and pension rights to many employees. We have as yet no vested right in pensions. While the city might say they would hire as many PG&E employees as possible, they would be hired again at the beginning of their service and their accumulated pensions would be lost. It doesn't seem to me to be a good business proposition.

If we do not feel that the PG&E rates are fair, I think we should be pounding on the Public Utilities Commission, rather than going into the power business.

Morris: Did the new political groups beginning to appear, like Peace and Freedom, affect your campaign?

B. May: They were reflected in the types of questions that came up. PG&E is an example. The war in Vietnam and whether or not the city should conduct a referendum on the continuance of the war in Vietnam came up frequently. At the council's suggestion,

B. May: Congressman Cohelan conducted a questionnaire on the attitudes of the people of Berkeley towards the continuance of the war in Vietnam. Those results were published.

But the council continued to feel that it should not use city money in an election for this kind of issue, which was beyond municipal powers. In fact, as I recall it, there was some question as to the legality of adding to the expense of an election. Just as you are not allowed to spend public money outside the geographical boundaries of the city, there is some question as to whether you can expand an election to that extent.

There was also the question during that campaign of people throwing rocks, breaking windows, lying down in front of the Santa Fe troop trains. We were frequently questioned in council meetings as to why the city didn't stop the troop trains running through Berkeley, which again was beyond the city powers.

There was great protest, may I add, also from the other side, from people who said, "Vietnam is a question for the Congress and the President, not for the poor little guy who's been drafted and is on his way to a war which he probably would not vote for if he were given the choice, but most likely he knows nothing about." And there was great indignation that the city was not able better to contain these protests against the troops coming through. But this again was part of the times.

There was, and this, from my point of view, is on the cheerful side, a great deal of discussion of the possible beautification of the waterfront and hope that the garbage disposal --

Morris: The dump?

B. May: Yes. That a neater and better plan for garbage disposal would go through for Berkeley, even to the hope that we might not use all the space that had been diked in. Sharing that hope, the gargabe department had been building temporary dikes rather than diking and draining the whole area, with the hope that a better shoreline could be attained down there.

This, unfortunately, though we kept on working on it, was not achieved and it's exciting to hear that they are really going forward with the plan to dike and raise the level of the Delta islands. I'm afraid there's some uncertainty about the federal money in regard to that.

Morris: With your record of accomplishments in moving the city forward in beautification and your cordial relations with some of the Republicans on the council working on the "Bury the tracks" campaign, did either of these result in any differences in your constituency? The people who worked on your campaign, or the people who gave money would be the quickest clue to whether your support changed in that third campaign?

B. May: I don't think it did because we needed more money, but not a great deal more. We'll look up these exact figures. As I recall, in '63 we raised and spent about $5,800, and it was about the same amount for '67.

Challenges on Environmental Issues

Morris: Were there any new wrinkles to campaigning in '67?

B. May: [Pauses to think.] No, I would say not. I think we had perhaps more paid advertising. We had more radio spots.

One of the issues which at least made me regret was that we had a carefully planned park and recreation bond issue. Part of the money would have gone to remove the last north-south barrier in Berkeley, the Santa Fe tracks. It would have gotten rid of those troop trains. But the tracks, while not, to be honest, a cause of many cases of death or maiming of children, did have most of its accidents related to children, because it was such fun to hop on the end of a freight train and then a sudden stop would jar you off. The freight trains went so slowly that it was fun to play chicken to see if you could get across. But the tracks themselves represented, it seemed to me, though attitudes maybe were changing in regard to this, a barrier giving people the feeling that, "I do live on the other side of the tracks."

There were also a considerable number of parks in the bond issue, most of them in west Berkeley, which had two big parks, but also needed small parks. These propositions were bitterly fought by the radical group that said what Berkeley needed was housing; that we were just proposing to get rid of the Santa Fe tracks to relieve the Santa Fe of a financial burden, which, of course, really wasn't true because the Santa Fe could wait until its franchise ran out in another twenty years or so and then they would own this property and could sell it if they wanted to.

B. May: That proposition failed, greatly to my regret. We felt particularly irked, because we had had a meeting of all announced candidates with the Park and Recreation Commission and had gone over the details and we thought all candidates had promised to support it. The Students for a Democratic Society did not support it and that worked against it.

I think their view of housing, which fortunately has not been put into effect yet, was again unrealistic. They'd not looked at the large scale public housing along Seventh Street in Oakland or in Chicago or in St. Louis, where they dynamited some of it. They'd not really looked to see what happens when you move people who are accustomed to living close to the ground, to watching their children play, into a great impersonal institution with mugging in the halls.

There was a great deal of discussion in this campaign, I thought, of the all environmental questions and what Berkeley might do to continue to contribute to the solution of them.

Morris: Did you find that the kinds of proposals coming from the people at meetings were ones that you were comfortable with from your perspective on the environment?

B. May: In most cases, yes. Demands for more access to the bay itself, great support for the development at the marina, particularly the fishing pier; the main criticism always was that there was no hot dog stand. But it was very difficult to find a concessionaire for a hot dog stand, because the main business came just on the weekends and the more expensive restaurants, leased on fifty-year leases, could count on a more even flow of business.

There also were two points of view about the small boat harbor. Some people assumed that all small boat owners were Henry Kaiser, with large, very good looking, ocean-going yachts. His was almost the only luxury boat in the harbor.

Morris: Was Henry Kaiser's boat docked at the Berkeley marina?

B. May: Yes. And then his son, Edgar, had a handsome boat docked there for a considerable time. But Mr. Kaiser now lives at Watergate in Emeryville and so his fine boat is near the Watergate.

Morris: There were objections that the small boat habor was only serving the affluent?

B. May: Yes. Overlooking the number of small sail- and motor-boats that dock, and overlooking also that these boat owners pay for the services they're getting. A bay, I think, is to fish in, to sail on, to enjoy, as well as to absorb all these --

Priorities and the Pocketbook

Morris: Before we get past it: did Joe Bort run for the board of supervisors in that election, and was John Swingle appointed, or elected, or both, to replace him?

B. May: John Swingle was appointed to fill out Joe's term. No, the municipal and the county elections do not come on the same date. The county is usually consolidated with the general election in the fall. Joe Bort was elected, but I would think, about two years before we passed the BART bonds.

Morris: The governor appointed him earlier, didn't he, to the seat vacated when Kent Pursel died?

B. May: Yes.

Morris: Did Swingle represent the same constituency that Mr. Bort did?

B. May: Pretty much the same. He was appointed to give the council a representative from the business community. We thought we were weak in that field and that it would be useful to have someone who was downtown regularly and consistently.

Morris: How did he relate to some of the issues that your majority on the council had been working for?

B. May: I would say that he agreed with most of them. He had that ever-burgeoning hope that we'd be able to do them while reducing taxes, but we tried to show him the facts of life.

One thing, I'm very proud of is that I never, never campaigned on the claim that taxes were going down. I always said, "Look, they're going up. The cost of everything you buy is going up." In those days we were having inflation at modest rates of 2 1/2 percent a year, and I would point that out.

B. May: But I really think that the politician who is promising more services is also obligated to vote, and to say he is going to vote, for the money to carry out these services. Often this has to be accomplished by a certain number of trade-offs. We'll fix the sewers here and put in a park there.

Morris: You can do that, I would imagine, with capital improvements and maintenance things, but in the next couple of elections what people began to say is that the city must change its priorities. I assume what they meant was that the city should stop doing some services in order to provide, in this case, more in the way of social services. Do you think that there was any validity to that?

B. May: This is one of the choices that can be made but seldom is. Certainly there are services that would seem to be more needed than others; but it is very difficult to discontinue a service, because you have to show that the demand for it has greatly decreased. Usually when there is less use of a service then there is a pressure to give it a budget adjustment that will take care of its losses.

For example, one that seems to be decreasing all over the country is the use of the city, or Boy Scout, or what-have-you camp. Berkeley has been no exception to that. Our two family camps have decreased in patronage. But instead of being willing to face this fact, we have accepted people for the camps at low rates which are supposed to maintain the camps, but won't. We've accepted people from outside the city of Berkeley and there has been much effort to provide camperships for families that have not had a camping experience.

Morris: That's a different goal from trying to run a self-supporting camp.

B. May: Yes. It had always been thought that the camps should be self-supporting, with the exception of the Cazadero Music Camp, which has had a strong Friends of Cazadero organization which provides some scholarships, some equipment, and supplemental funds, which are augmented, I'm happy to say, by the young people who have gone to Cazadero. They usually have a fundraiser at least once a year to add something or other.

Morris: That's a nice touch. You're saying that sometimes when a service ceases to be used, instead of having the budget cut, more money is put into it to try and maintain its usefulness, its attractiveness?

B. May: Yes, to try and keep it going. People have enjoyed it in the past; why not now?

Morris: That's interesting. It doesn't help the overall municipal economy.

B. May: No.

Elections of 1969 and 1971

Morris: Although you weren't yourself participating, would you have any general comments about the changes that you observed in political campaigns and the political climate in '69 and '71?

B. May: 1971 was the year of the proposed decentralized police force in the neighborhood districts.

Morris: The police partition initiative?

B. May: Yes, which I certainly opposed vigorously. Its aim was to establish for the first time a black ghetto, because your black police force and your residence requirement meant that there would be a clustering that would certainly introduce an element of apartheid in a city that had never known it before. It would mean that justice would be different in different parts of town and that free interchange back and forth would be greatly handicapped. I joined and contributed to the One Berkeley organization which fought against and, I think, was largely responsible for the defeat of this, to my mind, retrogressive plan.

My interest and activity in the campaign centered around that.

Morris: At that point, I gather that the Berkeley Caucus organization began to be less effective than it had been four or five years before.

B. May: Yes.

Morris: What happened to it as an organization?

B. May: Primarily the change had come about in relation to a basic change in the statewide Democratic party. You see, the Caucus was originally based on the Democratic clubs in CDC, which was a state body to represent clubs and make recommendations in regard to policy.

Each time I ran as a Caucus endorsee, we had a sufficient number of clubs in Berkeley to give a wide spread of people making the choice as to who they would support for city council or whatever office was going. These clubs were pretty well distributed over the city.

Morris: And they represented collectively a large number of people interested and active in politics?

B. May: Yes. Interested in politics and willing to give money.

Morris: Most important!

B. May: Each club received the number of votes that its membership entitled it to and only qualified club delegates were seated in the voting section. Spectators were there and usually were allowed to speak, but not to vote. This worked well until CDC fell into disarray. Fewer and fewer clubs paid dues to CDC and finally, in the '71 campaign, the Caucus was obviously open to last minute manipulation.

Morris: Do you have any sense that the disarray of the CDC and the Caucus created a vacuum that then made it possible for the Coalition to develop more effectively as a political organization?

B. May: Yes, I think so. When the opposition weakens, that gives you more room to operate in.

Morris: So that by 1971, three people out of four running as the April Coalition slate were elected to office. But the thing that is often commented on about that 1971 election is that the highest vote getter was Ed Kallgren, who put together his own combination of organizations and points of view.

B. May: Kallgren was endorsed by the One Berkeley Committee, and by the Berkeley Caucus. He was elected his first time out.

Morris: It was his first time out, but he had a number of advisers and backers who had considerable local campaign experience.

B. May: Yes, he'd worked in campaigns. I remember particularly in Joe Grodin's campaign in '69.

Morris: Yes. The note I have here is that there were considerable acrimonious discussions within the Caucus. The Caucus in '69 endorsed Zack Brown, Joe Grodin, Bill Sweeney, Warren Widener and for a two-year term, John Swingle. Bill Sweeney, Warren Widener and John Swingle were elected and, for the first time in several years, two conservatives, Tom McLaren and Borden Price.

In '71, the Caucus endorsed besides Kallgran --

B. May: Feinbaum.

Morris: Feinbaum and Allan Wilson. From the tenor of the times, they probably endorsed a woman.

B. May: Harriet Wood. There were two black candidates endorsed, Harriet Wood and Allan Wilson.

But as I recall '69, we were already having weakness in club membership without CDC.

Morris: Loyalty?

B. May: It wasn't a matter of loyalty; but a matter of numbers and a wide enough spread of representation to base your selection on -- the voting system which had worked so well in the past. We were also having trouble getting enough candidates, getting viable and attractive candidates, willing to take abuse.

Morris: That's fascinating, considering that two years later there was such a great upsurge of candidates.

B. May: I said viable and attractive. There was a great upsurge of candidates in 1971, most of them not electable and most of them running for the fun of being on TV and saying, "Hello, Ma!" The ego trip, you see, became an incentive when there was no disciplined group to hold numbers down. This put black candidates at a special disadvantage, without the Caucus drive toward integration and without its political base, now eroded in part by success.

Morris: For '69 we mentioned those five the Caucus endorsed, and then Tom McLaren and Borden Price, both of whom had been earnestly

Morris: active in city affairs for a number of years, hadn't they?

B. May: Borden had run a couple of times before. This was Tom's first time out, but he was well known in volunteer activities, especially health projects.

Zack Brown and Joe Grodin were defeated.

Morris: I would wonder if interest in that whole campaign was deflected somewhat by the fact that many people had been so involved and so concerned in the buildup of the People's Park demonstration. It didn't actually erupt until May, after the April city election, but there seems to have been all during that year an undercurrent of tension on various things related to Vietnam and to third world issues, which were much larger than Berkeley, but which did have some activity here, too.

B. May: Yes. This must have been the first time Warren ran.

Morris: He was elected, that's right. Loni Hancock also ran for the first time in '69, and was defeated. Did she speak at the Caucus meeting to seek an endorsement?

B. May: I don't remember her appearing before the Caucus. I'm sure I would have listened with great interest and noted.*

Morris: What about Zack Brown's defeat? He had been a hardworking councilman. Was there a change in attitude about him, or was it the growth in strength of other organizations?

B. May: Zack had protested the collecting of money for the Free Speech Movement at the Democratic Caucus when the Caucus had taken no action on it. People were running up and down the aisles collecting money, which was against the rules, and this put a special black mark against him as far as the student vote was concerned.

It was always a surprise to me that he didn't have more backing from people who recognized his real contribution to the council. His contributions had been perhaps less spectacular

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*In a phone conversation October 31, 1974, David Mundstock, Ms Hancock's campaign and council aide, commented that she was not endorsed by the Caucus, although she did speak at their endorsing meeting; that if she had been endorsed, the course of Berkeley politics might have been considerably different. Ed.

B. May: than some of the things that others had done, because he operated largely in the field of good fiscal management. That too may have been a factor, that he wasn't associated in people's minds with the kind of ongoing change that some others were on the council. In any event, he wasn't re-elected.

Morris: Did you observe the Coalition, as it came to be known, closely enough to have any comments on either their organization or how they functioned?

B. May: I think their organization was good. They had lots of manpower. They had plenty of people to distribute literature and to take away their opponents' literature. They adopted many of the devices that we had used and it's a little more difficult when two groups are doing it. One was the cards on doorknobs early in the morning. Well, that seemed difficult, you know. You'd go along and take off someone else's card and put on yours. This was what I was told; I did not witness it.

Morris: I have witnessed it. It has happened.

B. May: Good. And they worked very hard.

A Time to Leave the Council

B. May: Of course, you must remember that by 1971 campaigning had become rather routine to me. I knew that no matter what happened, I wasn't going to run again.

Not that I was bored; I wasn't. But I think I said earlier, towards the beginning of this discussion, that there is a great deal of decision-making which councils carry on which deals with minor adjustments in people's lives -- businessmen who want a permit with an unusual clause, someone who wants to carry on a home industry, somebody who wants because of the peculiarities of their lot to vary the setback, and so on. All of these minor things take up a great deal of the council's time and really, to be honest about it, don't make any difference in the --

Morris: A hill of beans in the great, overall policy?

B. May: In national, state, or even in the -- unless they're very glaring -- in the city itself. And yet it's probably the one time that the citizens come up, and it's very important

B. May: to the person who is asking for it. It is a quasi-legal action and you have to be sure that you've got a good city attorney who's keeping you within the confines of the law. These things are very seldom appealed and the only feedback which you ever get is, as I say, from the city attorney.

It seemed to me that I'd been listening to those forever. Not that it bored me really, but I felt no change, no growth.

Morris: Personally, yourself?

B. May: Yes. And while I was exceedingly interested in big issues and felt very lucky to have been on the council at a time when many were developing --

Morris: Incredibly important and complex issues, yes.

B. May: -- and had enjoyed it, I didn't really feel that it was fair either to the public or to myself to go on indefinitely. I have no criticism of Mrs. Thomas or Mr. Beckley or Art Harris.

About halfway through my first term, I was asked if I would run in the primary for nomination as assemblyman from this district.

Morris: Against Mr. [Don] Mulford?

B. May: Against Mr. Mulford. I refused quickly but firmly. But at least in the legislature, though your proportion of the available power is much less than your proportion of one out of nine votes on the city council, you at least had a different flow of business and not so much housekeeping and cases which become, but shouldn't become, routine.

Morris: It occurs to me that those cases probably often involved changes related to matters in the zoning and building and inspection codes, which the council had worked very carefully to improve and upgrade.

B. May: Yes. But there always has to be a little leeway, a little play, in these. Of course, it's, thank goodness, beyond the council's power to relax the health and safety codes. You can't let people live indefinitely with defective wiring. But these are just small things that, as I say, don't matter greatly, though the neighborhood often gets very upset about them.

Morris: So, you're saying that it is a necessary and continuing part of municipal operations?

B. May: Yes. It's an adjustment from the rigor of the law and sometimes brings to your attention matters that lead to wider considerations, but not often.

Now, I've been getting papers together, as you know, and I thought, if you approve, that I would put in the news stories of general news comment of my retirement.

Letters and Phone Calls from Constituents

Morris: Good. I also wanted to ask you, please, to include the letters from constituents that you received on various issues; you said they were particularly heavy after People's Park, commenting on the way you functioned at that point.

B. May: Yes, I received some. I don't think I kept many of them. I answered for days and days and days. Part of this time I was at Tahoe and I think I just threw things away as I answered.

Morris: Hopefully you've saved a few.

B. May: Yes. The thing that survives in your memory are those telephone calls late at night.

Morris: On many issues?

B. May: On hot issues and especially from the opponents to People's Park and the opponents to the People's Park II over on Hearst Street, which BART treated so sweetly and --

Morris: With benign neglect?

B. May: Benignly, yes. These calls were particularly bad. Since I live alone and there was no one to prevent my doing it, I disconnected my bedroom phone. But the other members of the council had much to tell about the telephone calls that came in at one or two o'clock in the morning.

Mr. Swingle said that he received a call from a man who said, "Now, just listen to it! Just listen to it! I'm going to hold the telephone out of the window so you can hear the

B. May: noise and that blankety-blank singing!" When the man came back on, Swingle said, "I'm sorry. I couldn't hear it. You see, we're having a party ourselves."

Morris: [Laughter] Oh, that's lovely.

B. May: A man, perhaps the same one, called the mayor also in the middle of the night and reported all this. Mr. Johnson said, "Yes, I'll look up the law on that. I think unless BART makes a complaint, we can't enter the property and toss them off, but I'll let you know." So, he called the man back at the same time of the original call the next night.

Morris: [Laughter] That was very clever of him. BART did not see fit to issue a complaint?

B. May: They said, "They really can't hurt it very much." It was land from which houses had been removed. Because of that area, they were able to use the tactic of digging a ditch and then building the subway at the bottom of the ditch rather than tunneling.

Morris: Considering the kinds of pressures from outside Berkeley that were generally understood to be being exerted at the time, it's interesting that apparently nobody thought to lean on BART and complain and say, "Get those rowdies out of there," or if they did, BART didn't choose to do so.

B. May: No. They didn't do anything about it. But even with disconnecting my telephone, there were people who, really from '63 onward, would telephone. I got to know their voices and I would just hang up.

Morris: The same people repeatedly?

B. May: The same people, yes.

Morris: With comments about particular issues?

B. May: No. Usually comments about the state of my brain and my morals, dashed with obscenity.

Morris: That seems a very unfortunate hazard to have to put up with. Are phone calls a usual means by which people call up to either ask advice or complain about a specific thing?

B. May: Yes. You get lots of phone calls, which I consider legitimate ones, asking a question, asking for direction as to where to go with a particular question, who do you call for welfare if you don't call city hall, and this kind of thing. This is understandable because the city hall telephone system even in Berkeley is a complex thing and you really have to know to whom to direct the inquiry.

I think if we had a good referral service, a good information service, that this would obviate a good deal of the need for an ombudsman. But others feel that the feedback from an ombudsman would be worth it.

Morris: A referral service wouldn't provide any feedback?

B. May: It seems to me that it does just in getting the inquiry to the proper point, or the complaint to the proper point.

Assistance with Council Duties

Morris: When you were on the council, did you have any secretarial help specifically for you as a councilperson?

B. May: I could use the time of the mayor's secretary, if I could catch her. Since she was usually overworked, I frequently gave this up. While I had concealed from various employers and various organizations that I could type, I broke down and typed for the City of Berkeley. I bought a typewriter of my very own and charged it off on my income tax to my occupation. But that, of course, left me still with the purchase price of Sears' best typewriter. I tried to give it away the other day to one of my nieces and she said, "Oh, it's not electric."

Morris: That's marvelous. Did you have any volunteer assistance, the sort of, I guess you'd call it kitchen cabinet, that seems to be the custom nowadays; several councilpersons have a couple of graduate students or three or four people whose energy and intelligence they can tap to keep track of things for them, and talk to various organizations, and keep the councilperson informed about things that way. I believe they receive an allowance for this.

B. May: No. We didn't have this. I had a group of people that I could consult, but it was up to me to let them know when I needed some help about this or that or the other thing.

Morris: How often did you find that you wanted to consult with them?

B. May: It depends on the question; I tend to be a reader, so I often went to the Lib or to call Stan Scott at IGS or Gene Lee, if it were a large issue, and get something to read. The League of California Cities is another good source of information, but I didn't always agree with it.

Morris: Are they part of the story you're going to tell next, on regional government? In some of the material I've been through, they seem to pop up again and again.

B. May: Yes. They're against it, primarily, unless it's left very safely in the hands of local supervisors and councilmen.

Morris: Was there anybody in particular whose advice and counsel was particularly helpful when you were chewing over a council decision?

B. May: That depended on what the question was. Of course, one of the great sources of information during my time on the council, because this was the point of my own weakness, was the city attorney. Bob Anderson was knowledgeable, especially about what had happened to various attempts to legislate in one field or another.

I remember, for example, coming home from some meeting or other, having heard a planning commissioner from Beverly Hills say that with the trend away from the large Beverly Hills estates and people moving to Malibu or up in the hills, that there were now appearing in Beverly Hills, houses around which the owners did not maintain the gardens. So they had passed an ordinance requiring a minimum maintenance of lawns, shrubbery and so on, so that Beverly Hills would continue to have beautiful streets and to cut down on air pollution.

I came home and asked Bob Anderson and he said, "Let me write." So, he wrote to Beverly Hills and got back a reply which said, "Nice law, but unenforceable."

Morris: [Laughter] It has a very appealing sound to it. I think every block wishes that somebody would help somebody to mow their lawn or trim their bushes.

B. May: Frank Newman, then dean of the law school, was always willing to discuss legal dilemmas as well as to suggest names of

B. May: attorneys for possible city appointments. And Dan Luten, in the UC Geography Department, was a good source of information on the ecology aspects of waterfront planning.

So, you really have a great many resources, and you especially have them if you are not suspicious of the staff.

Morris: You found the city staff helpful and informative?

B. May: Yes. I found no difficulty in operating under the constraints of the city manager form, under which the council members are not supposed to either lobby or be lobbied by department heads and so on.

Morris: That seems, again, an unrealistic thing. In the give and take of working on the same question, aren't staff people and elected people going to share ideas and thereby influence each other?

B. May: You've got to have some constraints to protect the city manager's administrative powers. If you get everybody running around giving orders to Planning, and so on. you're in trouble. But I don't think anybody on my councils had trouble getting information if they wanted it.

Morris: Are there areas of the city manager function that perhaps should be revised, since a number of years have elapsed since Berkeley first had a city manager?

B. May: The recent proposals and proposals for change usually are that the council make department-head appointments or that the council confirm the appointments. It seems to me you end up with no one to held responsible.

The city manager form attempts to hold the council responsible for deciding what is to be done and for choosing a city manager who can carry out their policy, subject to the financial restraints imposed by the council in the budget. Now, it seems to me that if you spread the power around, you can't ever put your finger on who was responsible for that mess in the childcare centers program, for instance, or the high taxes.

Morris: Yes. Is there a way to change the city manager government short of deciding that you are going to have a totally different kind, like the mayor as the actual operating head of the administration?

B. May: I don't happen to think there is, but many people don't agree with me. You have only to look at San Francisco to see how lousy the commission form is. The traditional wisdom says that a very large city like San Francisco, New York, Chicago, or Los Angeles needs a strong mayor to hold it together politically. But each one of those cities has great difficulties. A major trouble with giving full-time management responsibility to an elected official is that you usually can't get rid of him. He's given up his other occupation. He's put in full time and, like the mayor of Chicago, he's there -- indefinitely.

Morris: Yes. I think that's a good place to end.

XVII LEGISLATIVE AND VOLUNTARY APPROACHES TO REGIONAL ORGANIZATION*

(Date of Interview: October 17, 1974)

Bay Area Transportation Study Commission: Membership

Morris: We decided we'd start this section on regional governmental organizations with a brief summary of your work on the transportation commission. Your vita lists your membership on the transportation commission from 1968 to '71. That's just about the same time that BCDC was getting started.

B. May: I represented BCDC on this commission. [Searching through files.]

Morris: I was wondering if the transportation commission was in any way a result of the failure to establish the Golden Gate Authority. There had been a state senate committee on Bay Area transit problems of various kinds.

B. May: No, I would say not, because the proposal for the Golden Gate Authority originated in San Francisco. It was modeled on the Port Authority of New York, which was already considered by many persons to be failing. It removed from public control the major services that were user-supported by fees (chiefly port and bridge services) and left out other problems created by public uses, especially water pollution and the coordination of profitable transportation (much shipping was then profitable) with the unprofitable scanty mass transit available, chiefly busses in the Bay Area.

[Looking through papers.] Here I am listed as the representative of the Bay Conservation and Development Commission. Oh, here are

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*Chapters XVII - XX were read and approved for final typing after Mrs. May's death by her son, Kenneth May. Ed.

B. May: former commissioners. I probably replaced either Peter Behr, who about that time did not leave the Bay Commission with his election to the senate, but might have left this extra job; or Leslie Carbert, whom I saw around so often at regional meetings that I'm not sure when he was on the commission.

The makeup of the BATS Commission was defined in the bill, following fairly generally the pattern that had been used for several groups at that time with the hope of a wide representation from persons with experience in the field and in business. There was some citizen input, though this usually took the form of a citizens' advisory committee, as was the case with BATS, and representation from the governor and the assembly. State departments concerned were very frequently included.

Morris: The legislative members were Petris, Foran, McAteer, and Byron Rumford.

B. May: Yes. These were people who had been with the commission at the beginning. Senator Petris was usually represented by his alternate. Unfortunately, Gene McAteer was dead by the time the committee reported. John Foran was usually represented by his alternate.

Morris: Would their alternates be their administrative assistants?

B. May: No, usually not. I notice that Petris' alternate was Nicholas Dimitri, who I think is active in the Bay Area and not a staff member in the senator's office, and the same of Foran's alternate, who was Stefan Z. Boyanadakous, who I believe is with the Golden Gate Bridge Authority.

Morris: What about people like Randolph Collier, who was also listed as a member of the commission and certainly has been a powerful figure in the legislature in terms of highways? Did he attend?

B. May: I do not recall Mr. Collier attending any session at which I was present or represented by my alternate, who was Roy Oakes, the City Engineer of Berkeley. He came for me when the going got especially technical. No alternate is listed for Mr. Collier, so he may have felt the problem was in safe hands.

Morris: How about people like Joe Bort, and Edgar Kaiser?

B. May: Mr. Kaiser attended occasionally. Nils Eklund, of the Kaiser organization, was the efficient chairman and ran the meetings with an even hand and, as I think I said earlier, usually got us out for lunch. [Laughter]

Morris: You met in the morning?

B. May: We met in the morning, yes, so we had little or no audience except persons who were related to traffic jobs and could come on their own time. But I have no criticism of this because our assignment was a technical one from which only a trained observer gets a great deal.

You were asking if the local people interested in government and politics attended.

Morris: I was thinking of the commission members.

B. May: Right. Thinking of the politicians who were in local elected office, I would say that they attended with regularity. Joe Bort [Alameda County Supervisor] was almost always there. Mayor John D. Maltester [of San Leandro] was there and a strong advocate that residents of the territory through which a freeway was to be shoved should have a voice in the matter. Supervisor James P. Kenny of Contra Costa County was regular.

Newell B. Case from Walnut Creek, who was then a member of the BART board. Henry Wigar was a supervisor in Napa County at the time. He, I believe, began working on the expansion of industry through the sale of industrial sites. Mayor Ralph Trower -- oh, all of these people came.

Supervisor T. Louis Chess, a loyal highway man from San Mateo County, came when he could.

Morris: I see. So, the local appointees, who were elected officials in the various counties, did attend the meetings.

B. May: Yes. They had been appointed, probably, by their supervisors.

Morris: But the state legislators appointed to the committee were not often at meetings. Does that mean that from the legislature's point of view, they let the local people work out the details?

B. May: No. It just means they're awfully busy. You know, you have a tremendous number of meetings to go to, and when the legislature is in session they frequently have conferences or meetings in the morning. You know, we who went up to Sacramento to testify had to get up at dawn.

Morris: To be there when it starts, yes.

B. May: One of my complaints against transportation is that the railroad transportation has gone downhill so. We used to get out on the SP special and everybody had breakfast and ran around and talked to their friends. You were a little late to your Sacramento meeting, but not very. In those days in Sacramento, they had what were called "teddy taxis" -- their capacity, I think, was adapted for teddy bears rather than full-sized people with a little hip spread. We would pile in a teddy taxi until it groaned and then go up and disperse to our various meetings.

Morris: That's marvelous.

B. May: And then there was the train that came back and you could, if you were a bear for SP food, have dinner on the train. This train left, as I recall it, at 5:15 or some such time and got back about 7:15.

In the old days before they had another bridge across the Sacramento, you often did very well if you got out of Sacramento by car in half an hour. But that is another side issue.

Massive Date for More Freeways

B. May: The study area for the commission was the nine Bay Area counties that we've come to know so well. San Francisco, San Mateo, Santa Clara, Alameda, Contra Costa, Solano, Napa, Sonoma, and Marin. They began in 1965, at which time there were four and a quarter million people living there, holding one and seven-tenths million jobs. There is a great, long list of other information which can be read in the complete file of the three reports of the commission that we're going to file with this report.*

The first report points out that the Bay Area's transportation system, in their opinion, is the product of many years of successful planning and development, but does display congestion, noise, air pollution, and too many accidents. [Reading from report.] "Some of the planning efforts are on collision courses and too many hands attempt to guide the wheel of progress."

The organization is covered in many charts, and there were technical studies made under the direction of a staff, certainly a very competent staff, headed by several distinguished traffic engineers from the University of California, but men whose experience had been closely related to the development of the federal and state

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*See Institute of Governmental Studies library.

B. May: freeway system.

Morris: Was the Institute of Traffic and Transportation Engineering set up at the university in order to provide the technical studies for this BATS?

B. May: Oh, no. It was a much older engineering department, and it had this particular engineering specialty, perfectly legitimate, except that some felt that members of this staff were already committed to automobiles and trucks as the major efficient way to move people and goods.

Morris: That's interesting, because wasn't the preliminary legislative study already going on for what became the Bay Area Rapid Transit District?

B. May: That had preceded it, really, because we began talking about BART and pushing for it in '57, as I recall. But it characterized much of the planning of this period -- people planned in little, separate compartments, and still do. The current efforts to retain planning functions for local officials demonstrate that we aren't out of that box yet.

The studies and the lists of exhibits are fascinating. Just picking two or three out of a list of several pages: a study of registered motor vehicles per thousand persons; another was of average weekly auto traffic between various destinations, vehicle counts, person-trips within the region; employment projections based on 1965 ideas; net importing or exporting of workers by counties and cities.

Morris: You mentioned that the study on transportation organization and planning was the one that you spent the most time on.

B. May: Yes.

Morris: Was that a thing on which the commission members themselves actually did the work, or were you discussing the data?

B. May: We discussed the staff reports. The work was done by staff on this. This was not a working, but a report-receiving and discussion group. From the beginning, I heard that some of the data, which was all that was available then, went back to the 1960 census, and that signs of change in occupations and in the distribution of work places were already apparent.

B. May: It was obvious, to a member joining the committee late, that the commission had assumed from the beginning that there were major freeway corridors that could or would not be changed. The the only alternative to them considered seriously was to expand them. Much of the local discussion concerned whether or not this expansion should be, as had already been started in the South Bay, expansion into the Bay itself, or whether there could be alternate routes, or whether there could be land routes that would divert the traffic to narrower freeways.

Throughout the life of the commission there were two assumptions that seemed then, to some planners at any rate, doubtful and which, I am told, have not developed. There was the assumption that the workplace would follow the freeway, which it has not, industrial plants preferring the lower price of farmland to freeway access.

The other assumption was that the general public would continue to prefer the automobile and I think that we have begun to demonstrate that people are quite willing for many routine trips to use rapid transit.

Morris: When you say that these two assumptions were considered doubtful by many people, was this largely in the citizens' advisory group or on the commission itself?

B. May: No, I meant in the community generally and I would say that this point of view came out very sharply in the citizens' advisory committee report.

Citizens' Advisory Committee Recommends Alternatives to the Automobile

Morris: There was an earlier preliminary planning group that met before this transportation commission was appointed by the governor?

B. May: Before it was established by legislative action, yes. That's the one whose report seems to be lost.

Morris: Stan Scott at IGS remembers helping to prepare a position paper for this, and that Stan McCaffrey was chairman of the group.

How is it that he was not then appointed to the commission?

B. May: This you would have to ask the people who did appointing! He served ably as the chairman of the citizens' advisory committee, which I joined as a volunteer from the BATS Commission. They wanted someone who was interested in this field and would also have the time to attend.

Morris: So, you were the liaison from the formal commission to the citizens' advisory group?

B. May: Yes. I'm not sure that it was ever dignified by that term, but I reported as frequently as time would permit.

As is always the case with a commission which has a great deal of technical material to go through, there was not a great deal of time, although the commission, when the advisory committee was ready to report, gave a considerable session to it. Stanley McCaffrey made a very good presentation urging more citizen input from the unserved population who did not have and never expected to have automobile transportation.

Yes. As I told you, unfortunately, I've lost our minority report.

Morris: It doesn't seem to exist anywhere. I've checked in the various libraries on campus.

B. May: I think it was just circulated within the commission.

Then I see that the final report changed the name of Stan's committee to "A Report of Study Group on Transportation and Planning," rather than the citizens' advisory committee -- but that, of course, isn't important. The comment before the report is that the conclusions had been discussed, but that the final report provides additional detail and specifics on organization and presents supporting information upon which these conclusions are based.

The general tenor of the report of the citizens' advisory committee was that much more attention should be paid to mass transit as a means of reducing the pressure of automobile traffic on communities -- air, land use, and so on -- and also as providing for the needs of the disadvantaged economically, the senior citizen, the handicapped, the young, who, quite rightly, are not allowed to drive at the time that they feel they should be going about. There was a real push on the committee for ecological concerns and for provisions such as trails for bicycles and pedestrians and for facilities that would enable them to cross freeways.

B. May: I don't recall that it did, because one of the difficulties about planning and dealing with planning has been that bridges seem to be a separate department from freeways, but there may have been discussion of a southern crossing, although that didn't "hot up," until later. There was, certainly, a very strong feeling in the citizens' committee that no more bridges should be built across the Bay without very grave consideration, including the needs of the ports.

The citizens' committee also thought that, getting down to the detail of the planning, there ought to be widespread discussion as to whether people felt that the bulk of the money should continue to go to facilitating automobiles and trucks at the expense of facilitating low cost and, hopefully, rapid transit for the people not yet being served.

Morris: Yes. I was interested to come across the fact that the suggestion was made that the user taxes be released for non-highway transportation uses.

B. May: Yes.

Morris: Is that official language for 'Gas tax funds should be available for busses and the like'?

B. May: Yes. This was a very strong recommendation on the part of the citizens' committee. The commission's report itself agrees, and hopes the legislature recognized this in appointing the commission, since the immediate prospect was to add additional billions to the existing freeway plan, to build up its capacity.

The commission, coming back to them, also did a number of interesting studies on new and technical innovations. One of the ones that the citizens might have moaned a little about was that they felt that the working hours should be changed to accommodate the load and relieve congestion in transport facilities.

Morris: I believe that's been done to some extent in San Francisco. Different big companies let their office staffs out at a slightly staggered schedule.

B. May: At a staggered schedule, but I don't think they have them working at night. Staggered hours, unless spread over an entire twenty-four-hour day, make very little change, the commission points out, and, I'm sure, rightly.

The Metropolitan Transportation Agency

Morris: Was the commission set up for a specific time span?

B. May: Yes. The life of the commission was to expire in '69 after recommending a plan to the legislature. The main provision was that they set up a permanent Transportation Commission to continue studies and to recommend change if need be and to continue the statistical and technical studies, watching the innovations which they hoped would in the future add to greater efficiency and use of our "fine" freeway system.

Anyone reading this has to remember that I'm speaking from hindsight. I thought that we were leaving out a large segment of the population then, but I had no crystal ball that would tell me that we would some day, under inflation and the shortage of energy, greatly regret that we'd left ourselves no alternative.

Morris: Yes. What interests me is that it sounds as if one of the assumptions of the commission from the beginning was that there would be, following their work, a regional transportation agency.

B. May: Yes. And there now is, in a sense, but its time is still to come.

Morris: Is that the Metropolitan Transportation Agency?

B. May: Yes. It has been headed by Joseph Bort, still a member but no longer chairman, and their plan, I think, has another year before it's developed. It covers another group of counties.

Morris: The original nine plus more?

B. May: No, I think smaller. My memory is that it's three.

Morris: Similar to the way BART started out, planned on a five-county basis and cut back to three.

B. May: Yes.

Morris: How come in transportation there seemed to be no problem with the idea of a regional governmental agency?

B. May: You see, there's never much opposition to a study and especially a study of this kind. Look at it! [Holds up study reports.] Who's going to read it but you and I?

Morris: It is interesting to read, but I doubt if I would have picked it up for bedside reading if I hadn't wanted to understand the work that you have done.

B. May: Yes. You may think I'm skipping lightly over these profound thoughts, but I think that somebody who is truly interested in the technical details will go to the file in Bancroft or wherever.

Morris: You've made the points that you think are important, the things that there were questions about and the things you felt were left out?

B. May: Yes. And I'm no judge of the validity of the innovative suggestions that they turned down, like hooking all the cars to a moving chain.

Morris: [Chuckle] That still seems like science fiction.

B. May: Yes. I can tell you how difficult it is to get two cars hitched together, but the harder things are easier, the boys tell me. [Laughter]

Morris: I've been reading an abridged version of Robert Caro's book on Robert Moses and public works in New York, which makes the point that Moses, too, built on the assumption that the automobile was the only way to go. Were any of the people here aware of Moses and his thinking and influenced by it and his great ability at gathering funds?

B. May: Not as far as I know. I think that the most informed people contributing to the material that was discussed were interested primarily in the engineering and technical aspects. I think they undoubtedly knew of the work in New York and probably would have enjoyed having the funds to do the parkway kind of thing, but they were concerned first with the problem of moving both goods and people, which was never the objective of the Moses freeways.

Of course, those parkways greatly altered the possible dispersal of industry and work places out of New York, whereas, to give our freeway planners credit, they thought that they were helping and they did help, in the beginning, in the establishment of industrial areas. But then the price of land rose so sharply that industry began going out and buying beet fields or almond groves instead.

I think that these BATS reports are another example of the difficulties and disadvantages of single-purpose planning and of planning done from one viewpoint.

Mayors' Approach to Regional Planning
(Date of Interview: October 31, 1974)

Morris: Last time, we polished off the comments you wanted to make on the transportation commission, to clear the way to talk about your work with the Association of Bay Area Governments and the Bay Conservation and Development Commission. It is very impressive the way you kept up with both the details of city government and the broader considerations of those fledgling regional organizations, at the same time.

Before we go on, I'd like to insert this description of the founding of ABAG that we recorded a while ago.

[The following conversation was recorded on July 1, 1974.]

B. May: Long before BATS or BCDC, we already had some volunteer regional planning. This was a scheme involving, at Mayor Hutchison's suggestion, or at least at Berkeley's suggestion, all of the East Bay cities with a border on the Bay, also including El Cerrito because they could see the Bay so plainly, and the county and the Port of Oakland. Later on, at some undetermined date the Santa Fe began coming, whether invited or not -- I never was quite sure -- and the Highway Commission.

Jack Kent and the mayor were the first representatives from Berkeley, and then later on I was assigned this task.

Morris: Would you like to describe it a little?

B. May: Oh, yes.

Morris: All right. This committee was started by Mayor Hutchison?

B. May: I think it probably arose from the discussions that Mayor Hutchison and others were having in regard to regional planning, and perhaps was motivated by the very strong early feeling that they should attempt to form an association of Bay Area governments as a means of avoiding state or federal entrance into regional planning of the Bay Area. In any event, in 1960 or 1961, when Berkeley was thinking about reviewing its Master Plan and thinking about the idea of filling the Bay, it occurred to Berkeley as a governmental unit that it would be rather difficult to plan effectively by ourselves for our shoreline, which is the longest Bay shoreline of any East Bay city.

B. May: So, after preliminary talks with various mayors, Mr. Hutchison issued a call for a meeting to discuss the desirability of conferring about individual plans and considering what might be done to plan for the area of the shoreline from the foundation of the Bay Bridge up to the northern boundary of Richmond.

Morris: Almost to the Carquinez Bridge.

B. May: Yes, almost to the Carquinez. The cities accepted, met, and determined that they would set up two committees, one committee of elected officials, usually to be a mayor and one councilman, and the second committee to be a technical staff committee made up of the chief planning officer of each city and the city engineer, or an appropriate member of the city's or agency's staff.

Everybody came. The Highway Commission said they were absolutely delighted to come because this would give them an opportunity to talk over alternatives. Some of us muttered bitterly that that had not been their policy in the past. Usually they bought the land for the highways first and then told us they were committed.

But anyway, T.J. Kent at first went with Mayor Hutchison and then, later on, I became the representative of Berkeley on the policy committee and usually went by myself with members sent from our planning staff. This happened to most agencies. It was difficult to get two elected officials to come. We rotated the meetings, which were dinner meetings, in the different cities or areas.

This was, as far as I know, the first systematic attempt at planning for a small fragment of the Bay Area. It related just to waterfront plans. Our first thought had been to make sketch plans and combine the sketches. The technical staff decided that could easily be done with a big map and overlays. When they did that, we could see Berkeley and Emeryville were going to have a common boundary going way out into the Bay.

The topic which attracted everybody's interest was the route of the expansion for the East Bay highway, where it was to leave the Eastshore and split off into two routes, one going to Sacramento and one to Napa. There were problems with that, Berkeley not wishing it to go into the Bay. I think Emeryville was with us there because neither of us wanted our tidelands cut down. Albany, as usual, wanted good freeways to Golden Gate Fields, but there were difficulties.

B. May: The cities decided that what they needed most of all were unprejudiced engineering studies that were not related to any one scheme. We thought about $80,000 would give us a start on this. Among the things we wanted to know were how the chief currents in the Bay affected the shoreline and how they would affect projects to put in artificial amenities like beaches. We never did really get that one done very accurately.

Rates of sedimentation were another thing the engineering boys thought we ought to have. That study, I believe, was completed as an expansion of a state study that was being made by some prestigious firm.

But we went on meeting for years and, as far as I know, they may be still meeting.

Morris: That's a very interesting group. How did you fund these studies? Eighty thousand dollars is quite a lot to come up with.

B. May: Each agency was going to put up its share under a pro rata formula that was worked out. We were good at formulas! It had such factors as the length of your shoreline and the extent of your tidelands and a separate formula for the Port of Oakland, or maybe that went on the same shoreline basis, because, you see, the Port of Oakland has that shoreline between the bridge and Emeryville and they had made very extensive plans for modern container docks that also would practically go to Goat Island. We were all planning to run out on dry feet to Goat Island and hop on it.

Morris: [Laughter] Oh, that's marvelous! As an experiment in regional planning, how did the different community representatives get along together?

B. May: Well, just fine. You see, we were all politicians and we met jovially, but usually unyieldingly. I sometimes had a little trouble deciding whether I was working for BCDC or Berkeley [laughter] and got a good deal of teasing about this. But I think there was, however, a good deal of what the politicians call accommodation. While Albany remained always in favor of massive fill for Albany, I think the other cities began to think about the Bay as a whole and some of the considerations we'd been meeting with in Berkeley.

The freeway was a very difficult situation. We were stuck with the existing freeway and nobody wanted it to wipe out housing or business or anything else in our communities. None of us wanted to move it inshore, but we didn't want to move it out. So, certainly,

B. May: we were trying to get some minor consideration and we, I think, did in getting that little road which parallels --

Morris: The frontage road.

B. May: The frontage road, on which people could drive for views and fishing and whatnot and at lower speeds.

We learned a lot of intercity news and the meetings were not long. Several groups protested that the meetings were not announced and the public was not encouraged to come. I felt that it would be wise if the group, having isolated an issue, would hold a public hearing on it. But I did agree with the other elected officials that it would be much easier to secure accommodation between conflicting plans if this were done by negotiation, without people coming with positions that they would use to perhaps force a city to take a stand before it was ready.

I think all the cities turned out to be converts to the idea of the Association of Bay Area Governments. As we will see later when we get to talking about regional government, ABAG has, after having been organized to avoid regional government, backed itself into being a form of regional government.

Morris: That's a very interesting thing to hear you say because that was my sense in reading what Claude Hutchison had to say about the meetings that led up to the formation of ABAG, and I'm pleased that that's what it started out to do.

One last question: do you recall who was appointed by the council to attend these meetings when you retired?

B. May: I really don't know that. You see, they were short a council member for --

Morris: Almost a year.

B. May: Almost a year. Mrs. Hone once told me that when she was appointed, Mayor Widener said to her, "You'll probably want to do what Mrs. May did for us for so long, represent the city on regional bodies."

She told me that she replied that she might eventually, but certainly not at the moment because she had this new job on the council to break into and she also had a more complicated household than I and she doubted if she could spend the amount of time that she knew that I had.

B. May: Then, of course, I think the Berkeley Council, or at least that Berkeley Council, discovered that several of the things I did were appointments of me and not of the City of Berkeley, and that made a change. Berkeley was not likely to get another appointment on BCDC, for example, because we'd had one for so long, under two flags. I was a governor's appointee first and then an ABAG appointee.

Morris: That's quite an accomplishment.

B. May: That's a fun story and I don't know whether I should reveal it all, but if we're feeling belligerent that day, we will!

Morris: Well, you can keep an unexpurgated version for your own entertainment. Okay, that's probably a good place to stop for today.

[Interview of October 31, 1974 resumes]

County and Other Interests in Organizing the Association of Bay Area Governments

Morris: Now, let's go on with the actual organization and operation of ABAG.

B. May: I was elected to the Berkeley City Council in time to go to the very first general meeting in 1959, at which the major decision seemed to rest on whether or not counties should be included and have a veto. This, of course, placed the organization which was founded in the hands of the counties, since a majority of the counties, five out of nine, could veto a decision of the eighty-three cities, each with one vote, and with a much larger population, so that ABAG has never really been organized on a one-man-one-vote basis.

The counties have a veto power which has contributed, I believe, to ABAG's wish to retain the planning power for this area within what they consider a home-rule framework, which appears to me to be primarily a land-planning process subject to or, to put it in a different way, to which the advocate of population growth and urban sprawl has readier access than the citizen groups.

Morris: Why is that?

B. May: Most county supervisors meet in the daytime. Meetings are not widely attended as a rule. The news of what is going to be on the agenda is seldom carried in Brentwood, or even in Berkeley unless this is an issue which hits the town of Berkeley directly. I hope that I'm mistaken in this and that there are more observers than there were in '59.

Another characteristic of this meeting was that the representatives of the city were very anxious that there not be, as they called it, another layer of government. They did not recognize at that time, to any extent, any state interest either in the public lands or in the location of freeways. They wished to be able to plan directly with state agencies, city by city, rather than through a group. And, to me, a very interesting angle which appeared at this first meeting was great resistance to the word "metropolitan."

Morris: Oh, now that's interesting. Why?

B. May: It reminded me of our discussion earlier, in regard to campaigning, of the relative effectiveness of certain phrases. It was decided, as I recall, at the next session -- when the counties were going to be invited to participate -- that ABAG, Associated Governments of the Bay Area, would be more precise and would avoid the implication that there was any ambition or intention on the part of the people of this area to form a regional government.

Morris: If there was concern about inviting the counties, who led the debate that finally ended up with the counties being included?

B. May: [Pauses to think.] I think that this came primarily from cities with population living closely around their boundaries whom they thought they might some day annex. But in smaller communities, unincorporated areas that get their services directly from the counties, there's much more relationship with the county The main push of ideas in the discussion seemed to have come from the efforts of a number of organizations, but chiefly the American Institute of Planning, to offer a series of bills in the legislature that would establish a responsibility in the state planning department for formulating plans for the Bay Area. They felt that input would be difficult to get from the cities concerned, though they were thinking primarily of input from the established city governments rather than direct citizen input.

Morris: I understand that at that point there was very little in the way of planning capability on city staffs.

B. May: Yes, I think that is probably true. The core cities -- San Francisco, Oakland, Berkeley, Richmond -- certainly had planning staff; not always planning staff oriented to change, but at least planning staff competent in the sense of carrying on the suggestions for planning needs as they were then felt.

Planning for housing, planning for expansion of open space, planning for protection of established neighborhoods from apartment and highrise development had not yet appeared. Berkeley had not yet made its great revision of the waterfront plan and the zoning ordinance, which we've discussed earlier; on this we had in Berkeley some hard fights ahead.

So, there was planning staff. The counties usually had planning staffs which were related largely, though not entirely, to roads for automobile transportation.

Morris: Where was the League of California Cities in the formative stages of ABAG?

B. May: Staunchly opposing! They felt the League of California Cities could do this.

Morris: And that therefore there wasn't a need for another association?

B. May: Yes, that the League and the County Supervisors' Association could do this and could be the source of information. But, they said, if we wanted to do it instead of through the local branches of the league, why certainly keep it on a voluntary and joint-powers basis rather than having any state representation or any directly elected boards.

So, planning from the beginning was an objective, but it seemed, at any rate, at the beginning, that another strong objective was to make certain that the organization would be for exchange of information, exchange of plans and ideas, and recommendations, rather than action which would have any clout behind it.

Morris: Did that work as it turned out?

Citizen Input, Federal Funding, and Employment Opportunity

B. May: It didn't last very long, because in a few years there had developed throughout the country, but especially in Washington, the idea that citizens should be consulted. The organizations of local governments began seeing this as a way to increase their stature and a way to add what was not a very powerful, but, at any rate, a governmental function to their organization, and they secured staff to assist in this. So, ABAG found itself in the position of recommending as to whether or not proposals for federal funds from a variety of agencies would be approved.

Morris: By the association?

B. May: This approval was done primarily by association staff. The executive committee acted chiefly on those proposals that conflicted with other proposals made by cities or counties in the same district. As far as I have been able to learn, the proposal then, unless the organization starting it withdrew it, would go on to Washington anyway and was frequently approved in spite of the action.

The action of ABAG was not final, but it certainly may have had influence two ways: in alerting anyone concerned to the fact that two civic organizations were planning to put their sewage in the same spot, and in giving, as people learned to look for this, a home spot at which either taxpayers or ecologists or other alert citizens could come and request the right to speak before the executive committee meeting.

This did not usually allow for very long sessions, because (I must say, after many years of attending ABAG executive sessions) they had the admirable habit of going home at ten o'clock.

Morris: Good heavens!

B. May: And since many of them came long distances, you usually did not have a quorum after ten o'clock.

Morris: One question, before we get past it: had the legislature passed a bill requiring ABAG to approve proposals before they were submitted to federal agencies?

B. May: Not as far as I know. They were requested to do this by the "feds" who were looking for an easy way to say, "We've had citizen input on this," because this was now the way things were done. This was the coming thing and this came along, I would say, in the '60s. This

B. May: really changed ABAG from a local clearinghouse for discussion and recommending to a group which could expand, could apply for federal funds itself, could and did get federal funds to expand its staff, and has had on the whole, I must say, rather good staff.

Morris: I have a note that Wilbur Smith was the first staff director.

B. May: He was, I think, the second director, and he was the director who unfortunately overlooked a large embezzlement by his next-in-command on the ABAG staff. The embezzler gambled away in Nevada [chuckle] a very substantial sum, approaching $50,000, which gave many of us the feeling that this was a rather loosely run organization, as indeed it was. During the period that I was a member even the executive committee was large and it was no one's special business to look at staff operations. The books were audited, but this man was a good operator.

It's still very difficult for me to understand how in what was then a comparatively small office, probably not over ten employees, nobody knew what was going on. This young man seemed well trained on administration. He had had a scholarship from the Supervisors Association and was their fair-haired boy, but nobody, unfortunately, took any care of him and he ended up in prison.

He was convicted and imprisoned, and Arthur Harris, by a series of well-planned lawsuits, got most of the money back from the organizations that had blithely paid it over. Several banks cleared large checks that required the signatures of two officers but turned up with one, and there were other discrepancies of this kind. Then there was the bonding. So, a great deal, though not all, of the money was recovered. This was after Art's retirement as a city councilman in '67.

So, the director resigned. The next director, who had been the city manager of Novato, had a much tighter office organization. He was there for the expansion of the staff with enlarged responsibilities and federal funds related to passing on grants.

Officers and city and county representatives on ABAG are elected officials. Recently ABAG has invited representatives of some state agencies to serve on the executive committee. The by-laws allow that. But during my day this was not the practice.

ABAG Executive Committee in Action

Morris: At what point did you go on the executive committee?

B. May: I was chosen for the executive committee after an episode concerning the development of the Bay Conservation and Development Commission by the Conference of Mayors of Alameda County, one who has always shown much concern for both development of commerce and preservation of the Bay for people's use is longtime Mayor Jack Maltester. Mr. Maltester has also been a Democratic leader for many years.

ABAG really was not friendly to the establishment of the Bay Conservation and Development Commission. In fact, it was very lukewarm, if not actually in opposition. Berkeley supported BCDC and at one point protested the actions of ABAG in regard to the appointees that they were allowed on the commission. I think we ought to weave these two together, but the thing which is amusing in regard to my appointment to the executive committee is that these appointment are made by Conference of Mayors, usually after a very congenial dinner and sometimes before or sometimes after a long speech and everyone feels very relaxed and not fussy. When it was said, "Well, we have to appoint someone to the executive committee," many people sat around thinking, "Well, I hope not me. I don't want another meeting." Mayor Maltester leaped to his feet, looked around the room, obviously looking for a Democrat, saw me, and thought, "Just the girl!" He said, I nominate Bernice!" "Fine," everybody said, and off I went to the executive committee. It was so peaceable after the Berkeley City Council and I enjoyed it, though I couldn't help but bring up issues every now and then, and I found some difficulty in reporting to BCDC on issues which I thought should come to their attention.

Morris: Why did you have difficulty?

B. May: The shortness of the agenda. The wish to get home, if you'd driven down from Napa.

Morris: In other words, the committee itself did not wish to take the time to listen to a troublesome issue.

B. May: Right.

Morris: When you say that Mr. Maltester had to look around for a Democrat, does that mean that most of the people on this in the '60s were Republicans?

B. May: Haven't you been listening to me all these weeks?!

Morris: I just wanted to be specific about it.

B. May: Local government in California for a great many years was dominated by the Republican party. It is, as you know, by law, nonpartisan, which cuts it off from the searching of both parties for new material and new blood. A recent study by Eugene Lee, How California Votes, indicates that city and county government is still very largely Republican. Those of us who believe in a partisan commitment to a well-defined platform feel that this partisanship does exist even though party name does not appear on the ballot and that it has in the past drained off citizen attention to contests for the legislature. I think this is lessening, but it seems to be lessening in part by the formation of splinter parties.

Morris: At the local level?

B. May: Yes. And that too is probably beyond our province. What's happening today really isn't our assignment.

Morris: Well, going back to ABAG, at what point did the legislature begin to take interest in ABAG?

B. May: None at all, at first. But as time has gone on and ABAG has become better staffed and better known, its recommendations have been in some cases effective. They have particularly affected members of the legislature whose constituency is pressing on them for state legislation.

Morris: Yes. There are a couple of legislative committees on local government, aren't there?

B. May: There's a standing committee on local government. There was a commission on metropolitan problems. Their report did not receive approval from the league or the supervisors or, as I recall, ABAG, because it more strongly emphasized the state's relationship in regard to taxes, in regard to welfare, and in regard to a whole host of problems. This, too, is a plan which now I would certainly consider obsolete, because while the plans sit on the shelf, the situation changes.

Morris: That's true, yes.

You've mentioned the state's interest in local government several times. Is this the origin of your own interest in a regional approach to some of the problems of government?

B. May: Not primarily. My main concern has been for open space, which I think can be protected and planned only in large blocks in California. I think that you and I, who live in Berkeley, should have as much concern for the Santa Monica Hills as we have for the Berkeley Hills. These are a part of the assets of our state as one of the most beautiful landscapes in the world.

It's also related, I think, to the total prosperity of the state. Traveling, by bicycle or by plane, is one of the great recreations, not only of Americans but now of the world, and if we cannot maintain our share of the tourist trade and all of those jobs, unless we have a real variety of the famous sights of the world to present. I'm sure, as you've traveled, you know that there are two places in the United States that everyone knows. One is the Grand Canyon and the other is Yosemite. I hope San Francisco Bay comes along very close.

Morris: That's a much broader view of concerns for urban sprawl than those described in that early report that your husband wrote on metropolitan problems.*

B. May: Yes, though certainly sprawl and the waste of resources in supporting a sprawl was and is still a major problem.

Morris: Is there anything else about ABAG that you want to include?

B. May: [Pauses to think.] I'll see if I can find the minutes from the next meeting when we added the counties and changed the name to ABAG. It has turned out that that was a good PR decision, obviously, because ABAG sticks in your head. It's one of the acronyms that people do remember.

Morris: To what extent has ABAG, the voluntary association, helped to shape the other regional organizations that were set up by legislative action?

B. May: From my viewpoint, except for familiarizing a wider group of city officials with the aspects of planning, ABAG has had on the whole a negative effect on what I would like to see for the Bay Area. It has supported primarily more intensive development.

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*The State's Interest in Metropolitan Problems, Samuel C. May and James M. Fales, Jr., Bureau of Public Administration, University of California, 1955. Copy in Mrs. May's papers in The Bancroft Library.

B. May: It has, however, discussed many new ideas brought forward by energetic people on their planning committee, notably a prolonged discussion of the problems of population growth in relation to what the land can support and hold. This does not seem to me to have resulted in action except in one or two courageous cities like Vallejo, which, under a woman mayor, is attempting to look realistically at what they can do. Nevertheless, I think a discussion of population growth is worthwhile. It was initiated and pushed in ABAG by Michael Wornum, who is a professional planner, elected first to Sausalito's council, then to Marin County Board of Supervisors, and to the Assembly in 1974.

Just the fact that these discussions are held is helpful, and maybe I'm too impatient. The plans that ABAG staff has developed look good, and in many cases they provide options. But they have not been widely circulated. Would you like them?

Morris: Yes, we would. So, to some extent, ABAG has not felt a responsibility for general education of the citizen?

B. May: It's hard to catch him, you know. The local agenda is crowded and, so, if their planning staff wanted to come even in my day when we picked up our toys and went home at twelve o'clock in the evening, we would have had trouble in fitting them in. So, what Berkeley usually did was to send ABAG plans to our planning department, our professional staff, and then if they had suggestions we would usually forward them. This was not a meaningful presentation to either officials or citizens in Berkeley.

The Essence of ABAG

Morris: Could you summarize the essence of what ABAG has accomplished and what its limits are?

B. May: ABAG from the beginning, in the very beginning, was designed as a clearing house for exchange of information, a body whose represenatives would meet twice a year, hear discussions of current problems which seemed to be regional problems, and make recommendations to their constituent bodies.

Now, it's always hard to define what a regional problem is, but I think the general concept was that a regional problem was one that extended over local boundaries to any great extent, that related to shared services such as sewage and water that arose from relationships with federal or state agencies which affected

B. May: a number of jurisdictions, and so on.

In the structure there was no provision for the now usually-accepted democratic one-man-one-vote; each city had one vote, with the exception of the largest. Oakland, I think, has two and San Francisco has three. The cities are subject to the veto of the counties, because each county has a vote and they vote separately.

But the beginning objective was information, sharing advice, setting up meetings without any authority to levy taxes or impose regulations, except for dues.

From the beginning, part of this exchange of information idea seemed to many of the ABAG people to be best expressed in the form of a general regional plan, so that much of their information took the form of working toward a regional plan under the direction of a vigorous planning committee.

Then, as we said earlier, when HUD required evidence for their various grants for housing, for social, ecological, and communal justice -- you name it, they might have money for it -- they made the requirement that the proposal be reviewed by ABAG.

Morris: Anything in the Bay Area that was applying for HUD money?

B. May: Yes. The fact that ABAG did not approve it did not mean that it would not be granted, because the ABAG report was not final, and ABAG very soon sorted them out and approved everything that was approved routinely by the staff, unless objected to by someone on the executive committee -- approved routinely by the staff any project that involved only one jurisdiction. This left to be reviewed by the executive committee perhaps eight or ten or so proposals for each meeting that involved two or more jurisdictions. For these they usually allowed a very short hearing, and there was at the beginning not much publicity about it. But word is around now and people do think they would like to have their project go forward with a local blessing. I think it's not very generally known that some projects are approved after having been disapproved.

Morris: By ABAG?

B. May: By ABAG, yes. The meetings are not long, usually 7:30 to 10:00.

Morris: That's a curious kind of way of complying with the HUD regulation, if HUD approves things that ABAG disapproves and if ABAG routinely goes along with approving single jurisdiction proposals.

B. May: I don't consider it a very searching consideration, but there it is. It's part of the struggle with everything that's so big.

No one has really worked out, for my money, anything that substitutes for adequate publicity to the citizens who are going to be affected; and public hearings until everybody, or at least every viewpoint, has had a chance to be expressed. This, to my mind, has been an advantage of BCDC's leisurely way of proceeding, which, in one way, is also a disadvantage because of the trouble it would be for some people to get there -- though if they have a project up, they come.

For instance, when the San Leandro and Hayward proposals for the San Leandro Bay recreational area came up, we had a great many to speak -- well, I probably shouldn't say a great many but, as I recall it, something approaching twenty black residents of that area with the representatives of organizations.

XVIII ACCOMPLISHMENTS OF THE BAY CONSERVATION AND DEVELOPMENT COMMISSION
(Date of Interview: November 7, 1974)

Environmental and Political Concerns

B. May: The other day, you asked me why the city people wanted to include the county local governments. I thought about that and looked back. I think that the comment we made was the right one, that this push came from the smaller cities that were very closely related to unincorporated areas who used, in some cases, county services. They wished to make sure that any area that they might annex would not be a disadvantage in annexing.

Then, in the early '60s, there was the beginning of a discussion for some agency to control both the development and the preservation of the San Francisco Bay. This movement was in large measure due to the same citizen organization, starting in Berkeley, which had reversed Berkeley's master plan. This was Save San Francisco Bay, headed very largely by Mrs. Clark Kerr, Mrs. Esther Gulick, Mrs. Donald McLaughlin, and many others.

Morris: Those three I identify with Berkeley. Were there other people from other parts of the Bay perimeter who were involved in the beginning?

B. May: As they started, they were just going to fix up Berkeley. Kay Kerr, as you probably know, lives across the line in El Cerrito, but she was much involved with Berkeley, not only because of her view of the Bay, but because of her concern for the recreational opportunities for students in Berkeley.

Save-the-Bay's beginning was the modest one of seeing to it that Berkeley did not continue to harm its waterfront, not only by its future plan, but also by its bad procedures in putting its garbage on the waterfront -- first, when burning was allowed,

B. May: burning it there, and, as a great many others were polluting the air, stopping burning but using the garbage for fill, fill which was covered.

The answer that the city kept making to this was, of course, in regard to the burning, that it was perfectly legal at the time and, in regard to the fill, that there wasn't any place else to put the garbage if it wasn't filling the Bay. The major fill, of course, already existed, being the long spine of fill which had been put out into the Bay to serve as a ferry landing for the SP.

Morris: That goes back quite a few years, doesn't it?

B. May: It was put in for an automobile ferry to San Francisco, long before the Bay Bridge was built. One ferry from the foot of Broadway in Oakland took passengers and, so, part of the common speech was, "Are you going by the foot ferry or the automobile ferry?"

We used it happily for many years. But with the Bay Bridge and the paving of the Eastshore Highway, which was, as I recall it, opposed ineffectually by Save-the-Bay, people began using the Eastshore Highway and the bridge.

Well, in any event, Save-the-Bay turned Berkeley around. The City of Berkeley became one of the strong supporters of some plan that would allow for both conservation and development in the Bay with the leadership of then-Senator Eugene McAteer.

Morris: You went to the legislature first. I was wondering if there was any thought of trying to do this on a voluntary basis through the Association of Bay Area Governments.

B. May: I don't remember that it was discussed, because the Association of Bay Area Governments became one of the opponents of the McAteer Act. Both ABAG and the League of California Cities opposed it because of their fear of the loss of political power. It seemed obvious to anyone looking at the fill that had been put in with the blessing of the cities that they did not, certainly at that time, have the stamina to resist the inducements of the Highway Commission or of the developers who wanted more land.

Morris: I see. How did McAteer become involved in the concerns of Save-the-Bay. Was it the fact that he was a San Francisco representative?

B. May: They need lots of saving around San Francisco! No waterfront needs more protection and attention than that one. But he was a

B. May: great outdoor man. He'd been an outstanding football player at Cal.

Morris: Ah, he was a Cal man!

B. May: He also, though, had been, during his legislative career one of the men who had a real concern for the saving of open space and green space. Many others worked, too, but I think most of us remember Gene because he worked long, hard, and with great persistence. It took a long time to get legislation through and his skill in making what the newspapers called "adjustments" --

Morris: Trade-offs and compromises?

B. May: Yes. The politicians language for them is "trade-offs" and this needs to be done, and particularly in regard to a great port because this involves many jobs and impinges on many people's livelihood. The structure thought of was to set up a temporary commission which would have a life of three years. I'm sorry that I was not deeply enough engaged in the lobbying process to find out whose idea this was.

Morris: This was the one appointed in 1965?

B. May: Yes. This commission was to develop a plan for the Bay that would cover both development and conservation and, most important of all, would operate a permit system under which permits to develop or to fill would be granted, and to subject state agencies as well as private citizens to the rulings of the commission, which was to set up a temporary plan.

This gave real experience in the problems.

Morris: Yes. Without having things firmly nailed down into a law which would be hard to change.

B. May: Yes. Without having put in a theoretical plan first. One of the difficulties which still remains is that the enforcement powers worked chiefly and most easily against the large operator who is highly visible. But the problem of enforcement is still difficult. But this did give real experience.

But I'm jumping ahead. We know that the McAteer-Petris Act passed. It was not only opposed by ABAG, but a number of individual cities in ABAG fought it vigorously. The League of California Cities fought it to the point that they demanded and obtained appointment

B. May: on the commission of a supervisor from each of the nine counties, and city representatives from the cities bordering on the Bay to be appointed by ABAG, putting a sizable block of local votes on the commission. I think this in the main has been a useful thing, but it certainly has given the opposition a voice.

Morris: These ABAG appointees were useful, though critical. What did they object to?

B. May: On the whole, though not invariably, the representatives of ABAG have been more supportive of development than they have been supportive of preservation of the Bay. They tend to be critical of the uses of the immediate shoreline and the access of citizens to the shore. You see, the use of the Bay as a recreation and park doesn't depend on a lot of land on the shoreline, just the ability to get there.

Morris: So that you can get out onto the water.

B. May: That's important, yes, and to get to a point where you can put a fishing rod in or you can put a boat in doesn't take very much land, nor does a path for walkers or bicycles require much space. But this has often been opposed. Of course, a path through an industrial site requires security.

Morris: When did Senator Petris become a co-sponsor?

B. May: During the period of discussion, Senator Petris moved from what had been his first legislative interest of smog control, realizing how control of the Bay is related because, of course, this great body of water does give us another weapon against smog. Every time we decrease the area of the Bay we change the climate and perhaps even of the direction of the wind, which has been a great help because, of course, we do have the encircling hills which create circulation problems.

During this whole period of lobbying, I think one of the most effective pieces of literature was again one put out by Save-the-Bay which sketched in all of the proposals of all the cities.

Morris: Oh, dear. Of what it would look like if everyone carried out its plans?

B. May: Yes, if everybody did, the result would be a valley with a large river in it.

Morris: Was IGS involved at all in this preliminary stage of encouraging the legislature?

B. May: They issued early a splendid history and study of the Bay written by Mel Scott. I think this gave many people ammunition or the background, but, of course, they made, as usual, no legislative fuss.

Morris: How about the press? How was the coverage, and did they take positions?

B. May: Some did, and some didn't. It was a long battle with lots of bus trips. I mostly rode the bus and swelled the audience.

Morris: Going to hearings in Sacramento?

B. May: Yes. And listening. I remember going to one. I put down my name to speak and the chairman of the committee said to me, "Well, Mrs. May, would you rather make a speech or tell us how to vote?"

And I said, "Tell you how to vote! Yes!" And they all looked pleased because they certainly wanted us to go home.

But there was great support from organizations like the Sierra Club and other conservationist groups and from sportsmen's organizations -- which include both the sportsmen who run businesses related to fishing and hunting, and the fishermen and hunters themselves -- pointing out that if we didn't stop putting raw sewage in the Bay, they were going to continue to lose the fish. The commercial fisherman supported, as I recall.

Morris: Would this go as far afield as those duck hunters up there in the sloughs? Many of them are quite large landowners, too.

B. May: Yes. But people along the river, like many of the farmers in the Delta, supported it; not all, but many supported it.

You were asking about financial support. I do believe that the Fisherman's Association contributed to the expenses of literature and so on, but, of course, this was not a very expensive campaign because it was mostly getting people to call on their members of the legislature when they were home. And finally it passed.

Morris: I was wondering about how the legislature felt about getting into this rather new area of legislation.

B. May: Of course, it wasn't as new, in a way, to the legislature as it seemed to the cities, because the legislature had been buying land for various kinds of parks and already knew about outdoor recreation. Of course, so had cities, but for some reason or other very few cities had considered the great possibility of recreation on the shore of the Bay. Again, Berkeley had a spur in the Small Boat Harbor, which was the state agency that had encouraged docking provisions paid for by the shipowners and usually built with a loan from the Small Boat Harbor Agency which needed to be repaid. This same agency also encouraged and gave loans for fishing piers. Berkeley had the old SP pier left, and what had to be done was to make it safer. Later, when somebody noticed sewage, before March Fong, we had free portable toilets down there.

Appointing the First Commissioners: 1965

Morris: Were you appointed to the commission during that first three-year period?

B. May: I was appointed to the first commission, but not immediately. The governor had five appointments. Various state officials had appointments, and state agencies with a concern, such as State Lands and State Recreation. We'll attach the plan so that people can follow this.

Morris: Yes, you need a program.

B. May: But twenty-nine members are really too many to identify. Among the governor's appointees was Martin Meyerson, who was at the University at that time and had been active in the support of both Governor Brown and the legislation.

Morris: I see. Was he still a professor?

B. May: Yes. Then came the question of the appointees from cities and counties of the Bay Commission. The supervisors were spelled out in the bill, but the ABAG had no firm provision in their by-laws for appointments. They were still in the clearing-house state, as it were, though they had for a long time been saying that their primary area of discussion and competence was going to be planning, which certainly gave color to their interest in this.

The president of ABAG was away. The vice-president was a supervisor from San Mateo County, as I recall it. He appointed

B. May: two other supervisors to confer with him, and they appointed as the cities' representatives to BCDC three men, all of whom came from jurisdictions along the Bayshore Highway.

Morris: Over on the west side.

B. May: On the west side, yes, representing only the West Bay, and all of them -- with the possible exception of the San Francisco representative -- within the sphere of influence of Leslie Salt, whose salt fields were at that time circling that section of the Bay. Leslie Salt had been one of the most vigorous opponents of the act. This aroused at least the city of Berkeley to indignation. And that led to one of the most exhilarating but bitter political fights I ever had.

I had been following this legislation and reported it to the city council. I must say that support from my colleagues was unanimous. They felt that something needed to be done. Well, the first thing that seemed to occur to Mayor Johnson and Vice-Mayor Arthur Harris was to leave town. Now, I'm not saying that these were plans that had not been made in advance. They had been made. But before they left town, they joined with the other members of the council in saying that since I was the next delegate to ABAG, I should present Berkeley's protest. The city attorney researched the by-laws and discovered that there was no procedure laid down. The executive committee had taken the recommendation of the supervisors and appointed the men, but a general assembly was coming up. So, the city of Berkeley wrote and asked for a place on the agenda. I appeared as the official spokesman and had a spot after the executive committee had reported. This was some advance publicity which might be fun to attach. [Holds up clippings.]

Morris: Oh, good. You've got press clippings.

B. May: Yes, there are press clippings on this one, pointing out that there was going to be this presentation and then later pointing out that there had been this presentation. It was listed as the "Battle of ABAG" and so on, "A Revolt in ABAG." I was not received with what one would call rapture.

This had all been preceded with a great deal of conferring with people who felt, and quite rightly, that they could not appear.

Morris: You had conferred beforehand with other ABAG delegates?

B. May: Not so much with other ABAG delegates as with people who were greatly

B. May: concerned with the new commission, people like Mike Wornum and Peter Behr. I talked to Joe Bodavich, who had already been appointed a staff member, and, of course, could only give me advice about how damaging he felt this imbalance could be. Marin County, after some discussion, joined Berkeley in the protest.

Morris: Who was their ABAG spokesman?

B. May: As I recall it, the councilwoman from Larkspur. But there was wide cooperation in Marin County. Some of the men who thought that side of the Bay should be represented and who had been appearing at ABAG gave me great encouragement and arguments by telephone. But, of course, it was not really a good idea for them to appear, mainly because they thought they would like an appointment at that time.

Morris: Why "obviously"?

B. May: Because here I was being so unpleasant. Everything was going smoothly. People felt, "This is the first time we've had a real row at ABAG and this unpleasant woman has to say all these unpleasant, awkward things."

The City of Richmond wanted no part of it, although the then-mayor of Richmond, David Pearce, who unfortunately has left Bay Area politics, spoke in support. But I made the major attack. And since you are so fond of beautiful documents --

Morris: There's your speech. Wonderful!

B. May: Here's my speech. Oh, it's written on the back of a City of Berkeley letterhead, obsolete, I hope. The main point I made was that I was bringing to the general assembly an official request from the City of Berkeley that the ABAG appointments be reviewed by the general assembly, and that this stemmed from our belief that the appointments did not give fair representation to large and important areas with deep and varied interests in a sound and enforceable plan for San Francisco Bay.

Then we said that we were not seeking to embarrass or to question the personal qualifications of these men, but we were questioning the wisdom of the selection procedures and the exceedingly narrow geographical spread of the cities named. We reminded them of the section in the by-laws that anyone may call for review by the general assembly of any action of the executive committee that has been taken between meetings. We also pointed out that these men had not been appointed for a given term, but to serve until replaced.

Morris: Was Leslie Salt already involved in land development, what became known as Westbay Associates?

B. May: Yes.

Morris: And this was generally known?

B. May: Yes, it was generally known that this was in the wind and it was generally known that Leslie Salt had plans probably up and down the Bay for the development of their land for either industrial or housing purposes, without recognition of the ecology of the Bay.

We pointed out that we believed strongly that the North Bay and the East Bay, as well as the West Bay, should have consideration, and we thought it was doubly important because these were the first appointments. When ABAG was lobbying for a larger share in the commission's powers while the commission was being established in the legislature, at one of the ABAG assemblies, Senator McAteer told us bluntly that local officials could not be trusted to put aside their narrow political and local interests and work responsibly for the good of the region. I told them that in Berkeley's opinion the pattern of the ABAG appointments seemed to justify the senator's opinion.

Morris: That's really calling a spade a spade.

B. May: And then I concluded that we should be working [reading directly from speech]: "... democratically, fairly, and responsibly for sound decisions on Baywide problems. Therefore, I move that the general assembly not accept the action of the executive committee appointments to BCDC and that the assembly itself make these appointments on nominations from the floor."

Well, thank God, they didn't take me at my word because it probably would have been a mess!

Morris: How did they receive your speech?

B. May: With great surprise. Most people were in opposition.

Morris: In opposition to your proposal?

B. May: They were perfectly content with those appointments. Afterwards I remember several people protesting to Bob Anderson, who had come to support me. Of course, he couldn't sit with me. He had to sit with the staff in the back of the room. But afterwards and at the

B. May: luncheon, for which we, of course, stayed, staff members were saying, "Why did you let them upset the apple cart?"

"Well," he kept saying, "You know, we believe in this. We've been supporting it. You've got to face these tough questions."

My motion for the general assembly to act was voted in by the city representatives, but lost, four to three, in the counties. So, it did not prevail. Then the mayor of Novato, in Marin County, offered a motion, which carried, that the appointments be temporary and that the executive committee be instructed to report with names more representative of the whole Bay Area, which they did later, appointing one from the North Bay, the Marin area, and one from the East Bay, and continuing the appointment of Mr. Tom Mellon of San Francisco.

This, in itself, if we had really just wanted to go on fighting might well have been protested because this was the appointment and the representation of the largest city by a paid staff member rather than an elected officer.

Morris: Oh, this is the Mr. Mellon, county administrator for San Francisco.

B. May: The Mr. Mellon, yes. This was another irregularity in which, as a matter of fact, I suppose we acquiesced. Everybody liked Tom Mellon, and his knowledge in many fields was great. But his general influence was, I would say, at that time, a very conservative one related to the largest possible industrial development of the port, in which it is possible that his timing was bad. This was about the time that San Francisco was discussing their taking the port back.

Incidentally, I think this business of ABAG stopping those BCDC appointments was a much more important demonstration of women taking a leadership role in politics than how many women are elected to office. This really was a political issue, and we stopped those appointments.

Morris: When you say, "We stopped --," was there a women's caucus?

B. May: No. Berkeley did it and I did it as a Berkeley councilman. I don't mean Berkeley did it alone. A group of us and everybody else. The other people, you see, were very handicapped because they needed a job, and Berkeley was the only city that would carry the ball. Joe Bodavich and Mike Wornum and Peter Behr and others were giving me great cheer and help over the long distance telephone.

Morris: They were concerned about their jobs with the --

B. May: Joe wanted a job with the new commission, in any event, because he'd been active in the planning of it. The others wanted appointments to the commission. We were all sure that whoever began the fight wasn't going to be appointed by ABAG to BCDC. Later Pat Brown, bless his big heart, appointed me.

Morris: So, they quarterbacked you to being the public spokesman?

B. May: Yes. And the council, at least a majority of the council, had backed me.

Morris: And your position?

B. May: I was the Berkeley's official alternate representative, and Mayor Johnson left town.

You see, I didn't protest without a majority vote of the council.

Morris: In other words, you were instructed on this issue.

B. May: I was instructed, yes, to protest. What we were doing was protesting the action in the executive committee to the general assembly. The ABAG general assembly, under the rules, can question and refer again to the executive committee anything which is protested properly from the floor.

So we got it referred back to the executive committee and we got quite a different set of appointments. Mike was appointed to ABAG from Marin County. Joe's appointment didn't depend on this, of course. You can't ask people looking for a staff appointment to --

Morris: To get involved in the board appointments.

B. May: To get involved in that. I've forgotten who else was a big supporter. There was a group of us, but the inner circle of conspirators was not a large one. I'm sure Peter was one of them, but I've forgotten what political consideration -- Maltester too, I think, supported me. Later ABAG forgave me and appointed me themselves, after my governor's appointment ran out.

Morris: It just goes to show you that standing up for the right and saying what you think is rewarded.

B. May: This is more illustrative of what I think women in politics, or anybody in politics, must be prepared to do.

Morris: Yes. Do you think women are more likely to make this kind of

Morris: stand on a philosophical point, to be willing to stick their necks out?

B. May: It's a practical point. This isn't a philosophical point. Leslie Salt was going to have it in the bag.

Morris: To fill the Bay.

B. May: Sure. Well, this I don't know.

I think that in our limited number of councilwomen and women legislators in California we haven't got enough evidence yet. But I don't think that this kind of decision is really sex-linked. I think that men and women who are concerned about representative democracy must meet controversial issues.

ABAG Appoints Mrs. May

B. May: Then how did I get appointed?

Morris: Yes. You'd be very visible after this to-do.

B. May: I was very visible, and I must say that there had been so much to-do about it, though it occupied a comparatively brief time, that the people who had been working behind the scenes with me thought, "She really did work hard and she took most of the guff." ABAG members, especially supervisors, felt very protective of these men who had gone ahead on original appointments.

So, when Dr. Meyerson was appointed president of the University of Buffalo and left during the summer of '65, a number of people wrote endorsing letters for me, and presented them to Governor Brown.* He felt, I think, some justifiable hesitation about appointing an elected official, but was persuaded, largely by people who were interested in the preservation of the Bay, though there were, I was told, behind the scenes some industrialists who were particularly opposed to more freeways in the Bay who supported my appointment.

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*In Mrs. May's papers.

B. May: In any event, the governor finally got around to it because an unpaid, time-consuming position perhaps wasn't greatly coveted. But I enjoyed it very much and have always been grateful to Governor Brown.

Morris: Is the procedure on that kind of appointment that you gather your own endorsements and let the governor know yourself if you'd like the appointment?

B. May: No. Friends started this and did it for me, though I asked for some of the letters, particularly the letters that represented good politicians not particularly associated with the conservation movement. Two of the East Bay people were very effective, however. One of them represented a city at that time, Mayor Maltester of San Leandro, and the other was a future supervisor of Alameda County, Fred Cooper.

Morris: Did you have any sense then or later about how Pat Brown himself felt about how the commission should go on the future of the Bay?

B. May: I felt that he was supportive of it, in part because of its recognition of the need for both employment and industry and for conservation. I think one of the weaknesses in the conservation movement, particularly among middle-class youngsters, has been the feeling that you shouldn't consider employment at all.

Going back to my appointment, I think another factor was that I had always had labor endorsements.

Morris: Your strong labor backing would have appealed to Mr. Brown.

B. May: Yes. But he had, and I continue to have, an interest in open space.

Morris: Did the various labor councils get involved at all in the process either of getting the bill passed or then later in the deliberations of the commission itself?

B. May: I believe that Alameda COPE, headed at that time by the executive Bob Ash, appeared in support of the original bill. I haven't looked through this file of letters to see whether Bob wrote one of those or not. But he may have.

So, that began the interaction between ABAG and the Bay Area Commission and my part in it.

Morris: You continued as a member of both?

B. May: Oh, yes. I continued as a member of both. Later, when Governor Reagan came in, he was, I'm happy to say, very slow about replacing Brown's appointees. That is one of the things that gives me the feeling that these jobs were not highly competed for, except by people who had strong interests on one side or another, either development or conservation, and leisure to follow it up.

Meanwhile, the grandfather clause had been causing some trouble and continued to plague the commission. I, as a commissioner, and Berkeley, as a city, did receive a certain amount of continuing rumble from other Bay cities because we had done the major part of the development we said we were ever going to do before the act was passed and had pledged ourselves to do something about the garbage, but all we could seem to think of to do was to stand and hold it because the other dumps were also all in the Bay. Part of this opposition came from a commercial firm which was taking the garbage from a number of neighboring cities and thought they might just as well do Berkeley. But we thought we were more likely to get it out of the Bay if we continued to struggle. Nevertheless, Berkeley came in for a good deal of chit-chat.

Morris: "You've already done what you want to do, so you can be noble about the whole idea."

B. May: Yes. And Albany, under the leadership of then Councilman Richard O. Clark, went to the legislature and got themselves grandfathered.

Morris: By "grandfathered," you mean that you could continue to do any projects that you'd already started before the bill passed?

B. May: That you'd already started, yes, and where you'd had a plan and expended money and started work on the plan. Berkeley (and I'm sure we were critical) thought that the evidence for this was very weak, being a pencil sketch by a Berkeley architect for which he said he'd never been paid a penny.*

Morris: But did Albany succeed in getting "grandfathered"?

B. May: But the legislature said, "Yes," that Albany could go ahead and fill. This, of course, was related both to their garbage and waste and to the expansion of Golden Gate Fields. They did succeed in this and in getting BCDC approval to put three islands off their

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*There are no annotations in Mrs. May's handwriting beyond this point on the interview transcript. Ed.

B. May: shorefront. They had done this by building a dike out to the first island so that it doesn't seem to even follow the original plan, because it's going to be difficult, I would think, to get them to take this filling out.

So, meanwhile, I had been not reappointed by Governor Reagan. I must say for him, however, that he replaced me with a woman, Mrs. Dean Watkins, who has been, I think, a very good commissioner.

Then, a few months later, one of the ABAG representatives resigned and the executive committee was about to go home and Mayor Maltester rose and looked around the room -- I always thought looking for a Democrat -- and suggested my name and, greatly to my surprise and his, they appointed me.

Morris: Good for Mr. Maltester!

B. May: And it shows that political memories are short. I had been having a little trouble reporting to them because I tended to, I suppose, report too much. But anyway, I was reappointed.

Morris: So, when you were reappointed it was by the ABAG executive committee.

B. May: The ABAG executive committee appointed me, and no one protested. But they decided they would appoint me for a term, which I think is a wise idea, and when the term came to an end and the recommendation was to come from the Mayors Conference in Alameda County, Dick Clark began a campaign to replace me.

Morris: Because you were a spokesman for Berkeley and all of their new-fangled ideas?

B. May: Well, not only because I was a spokesman for Berkeley, but because on the whole I tended to vote to support citizen access to the Bay. I supported control of the 100-foot strip over which the BCDC had permit jurisdiction.

Morris: That was one of the amendments when the commission was made permanent in 1969?

B. May: Yes. And I had supported, he felt, a more permanent agency.

Dick Clark decided that he would like to be on the commission, and he got the approval of the Alameda County Mayors Conference, which, again, a body that usually has a speech and goes home promptly

B. May: and early. I was in attendance. It happened to be the meeting in Berkeley, to which the Berkeley councilmen always went, and Mayor Johnson said that he had been circulating before dinner and he thought it was useless for Berkeley to nominate me in the Mayors Conference, but that he would.

BCDC Operations
(Date of Interview: November 14, 1974)

Morris: Then did the commission go back to the legislature with its recommendation?

B. May: Yes. With the recommendation of the final report. I remember that as we stopped you had asked again where the main opposition to the formation of BCDC came from. Now, this document [holds up document] is interesting because it does give short excerpts of testimony in regard to the recommendation. You see, there had been a small citizen committee that had recommended to the legislature that there be a three-year study commission. It was at this time, evidently, that Gene McAteer joined Petris carrying the legislation and devised the recommendation for a three-year study that would then report on the structure of the permanent agency or any other recommendation that they wanted to make.

Morris: Was the intention all along to eventually have a permanent agency?

B. May: No. The intention was that they would try out an agency to make a plan. But I think it was certainly anticipated, at least by the sophisticated members of the legislature, that this would mean a recommendation for a permanent agency. This, of course, is really why it was fought so steadily by the League of California Cities, the Supervisors, and, interestingly enough, those cities that did not have a waterfront plan which involved citizen use. The cities like San Leandro and Berkeley, who'd begun to provide access to the waterfront and to use the Bay for water-oriented purposes --

Morris: As a recreational resource?

B. May: As recreation and also as a smog controlling, climate controlling, device. They supported the plan and the testimony in regard to the establishment of the study and planning and development commission indicates that.

Morris: How about Oakland --?

B. May: No. Oakland fought it because of the Port Authority.

Morris: They wanted to continue additional port development along there?

B. May: Yes. This is fascinating testimony here. And, you know, the more I think of it the more I have the feeling that maybe the Bancroft hasn't got the reports of BCDC.

Morris: They should go there or to the IGS library.

B. May: Maybe they should go.

Morris: They certainly would be very valuable. This is our understanding. Things that Bancroft doesn't have we will keep because we do have a number of conservation memoirs.

B. May: Yes. But one of the things I want to keep pounding into you is that this isn't primarily and exclusively -- this is the thing which, to me, is interesting about it because it's the earliest.

Morris: We haven't talked very much about what the preliminary BCDC study commission was set up to do, and why it happened when it did.

B. May: I think that the impetus for this was really set off by two things. Perhaps as a Berkeleyan I claim too much for the ideas that developed here, but there is no skipping the fact that the Save San Francisco Bay organization had begun to have an impact. It was acquiring political know-how and a real knowledge of the Bay, and had also somewhat to its surprise, developed membership far outside the political limits of Berkeley. There were many people who felt that the San Francisco Bay follows Yosemite as one of the great natural features of the world, certainly of the United States. Then, in addition to this, there was a growing concern among people who'd really thought about industrial growth in the Bay Area, about the possibility that housing and other quick-profit developments would use up the remaining unused harbor space.

You see, if population growth continued, if world trade continued, there were many real questions in regard to the amount of expansion for a deep-water port.

Morris: This would be in Oakland, concern coming from Oakland?

B. May: All over. Not particularly from Oakland because Oakland had established, and very successfully within its own limits, an Oakland Port Authority which, as is the case of almost everything in which you see the word "authority," is a little difficult for

B. May: citizens to reach. It's normally beyond direct political influence. The Oakland Port Authority has been very successful, but it had, and I suspect still does have, a great wish to make the new kind of port facilities extend into the Bay.

You see, the whole procedure of loading and unloading freighters has changed with the concept of shipping in containers which can be loaded directly from trucks or freightcars on the wharf and then sent for trans-shipment this same way. Instead of having the old-fashioned finger wharves, the ships park broadside and the loading process goes on very rapidly. Now, this needs a great deal of space for backup and handling.

The question is: Do you build out these huge new docks or do you, as some of the preliminary testimony indicates, use the land which already exists and may not be down dockside, presently utilized for water-related purposes? Do you clear the land and use the land that already exists for this purpose?

Many people feel, particularly in the case of much of the shipping that comes up into the Oakland estuary, that certainly the backup is the better thing and that is what has been done in a number of cases already under the jurisdiction of BCDC.

Morris: When you say that an authority is somewhat removed from the usual avenues of political control, does that mean that BCDC regulations do not have to be honored by either of the ports in the Bay?

B. May: No. They do have to be honored. But the ports opposed, and they still have arguments that they feel are very strong on their rights to fill; this has been a rather consistent line of opposition.

Authorities generally -- the joint Port Authority of New York and New Jersey is a very good example -- are bodies appointed usually for fairly long terms with good salaries and not subject to any very direct citizen influence. As they would put it, they are "free from political chicanery." [Chuckle] Of course, it would be very difficult for any one council or appointing body to make very much of a change in the authority, and they are usually given rather wide powers. They are characteristically set up where large revenue is available, so that they have a steady flow of cash and of power.

Then it is interesting to note, in the testimony in support of the establishment of a regional body to make decisions in regard to the conservation and development of the Bay, that among the few

B. May: cities supporting it was the City of San Leandro under the leadership of Mayor Maltester, who pointed out that San Leandro was hopeful that they would be able to establish a waterfront park for their citizens. They hoped to be able to finance it themselves and it would be an addition, a great addition, to their city, which needed parks. They thought their citizens needed a water-oriented park for boating and fishing and enjoyment of the out-of-doors. It was the wide open space available to them because they did not have open space in the hills. But, as they said, "If we put our efforts and money into buying this access to the Bay, how can we be sure that our neighbors won't cut us off with fill and industrial development and we'll be left just with a polluted water area?"

Permit Powers and Enforcement

Morris: How did the commission go about balancing out these two main ideas, conservation and development?

B. May: One of the interesting things about the plan as it finally evolved in the McAteer Act was that the commission not only was set up, but was entrusted from the beginning with a permit system, covering at first the shoreline of the Bay and, then, under a later amendment, the first hundred feet back from the Bay. After having secured a permit from the city or county in which you wanted to locate your facility or your development or your access to the Bay, then you had to appear before BCDC and report what you intended to do, how much fill, if any, it would require. In one or two lovely cases people wanted to remove --

Morris: Dredge out?

B. May: Dredge out and make more water area. You see, by this time the Bay had been reduced from its original 650, plus or minus, acres to about 450, as I recall it, and all kinds of things were getting scarce.

Morris: This sounds not unlike the environmental impact study that has become standard in so many kinds of development.

B. May: But this came later, much later.

Morris: You were pioneering.

B. May: We were there first, yes. As I was saying, the interesting thing, it seems to me, was that we were in business right away and had to begin defining for ourselves specifically what were beneficial uses of the Bay.

There had been a preliminary study as to what a whole variety of agencies considered beneficial uses of the Bay and these included industrial development for water-related industry, which began being defined as shipping, fishing, the use of large quantities of sea water for cooling, subject, of course, to requirements about the return of the water to the Bay.

An interesting result has appeared there, particularly in the plant near Hunter's Point in San Francisco where a large quantity of water is used for cooling. Partially cooled water returned to the Bay seems to have greatly improved the fishing. I remember when Fish and Game men said that this might very likely happen and that their only objection to the proposal was that they were afraid people would be killed getting there [laughter] because it was an industrial area.

One of the things that we discovered in this rather unequal request for land and facilities is that on the whole the requests for recreational use of the Bay require very little land. You just need access. You just need a place to begin to swim, hopefully [laughter], to put your boat in, to walk or bicycle along it, or to put your rod in. Now, this is not to say that we wouldn't enjoy, perhaps, larger use, but being able to get there safely and then to use the Bay is the main thing.

Morris: There is also the sort of transitional sense. Was this ever discussed? It is somewhat incongruous to take your little boat on its trailer down through an access area to the Bay that was right next to a large industrial plant or right next to the port where these huge tankers and freighters are loading up.

B. May: Well, yes and no. The Port of Oakland has cooperated, let me say, very well in some of their projects -- you know, the Port runs Jack London Square. After the establishment of BCDC, one of the things that they have cooperated in doing is establishing a pedestrian and bicycle path on the edge of the Bay so that you can go from Lake Merritt down to the estuary. It's a very pleasant, public pathway there, which just involved setting back some housing they were putting in. I hope it is greatly used because it seemed to me a very pleasant idea indeed.

Morris: How did the people who wanted to develop things -- recreation, industry or housing -- react to having to come to the commission, and how did you go about handling them?

B. May: Of course, people who were opposed could continue to be opposed. Particularly promoters of projects that would have involved a tremendous amount of fill, like the proposed Western Shores down the Peninsula, I'm sure never ceased to feel that this was a great invasion of rights. They owned or had been granted a great deal of very shallow water which would have required a tremendous amount of fill for the big development that they had planned the other side of the freeway.

Of course, the freeways continue to be a real problem in which, as far as I can see, the main hope is to continue to push for better mass transportation. It is perfectly true, I think, what I heard one highway man say: "Yes, no one wants a freeway, an added freeway off the Bayshore down the Peninsula or off the Eastshore Highway in Berkeley, but where are those people willing to take the freeway?" So, this is difficult. If you are devoted to the automobile as the main transportation agent, you certainly are stuck with the question of where you put the freeways.

Morris: Let me ask you a question about the committee itself before I get past it. I have a note that Melvin Lane was chairman.

B. May: Yes.

Morris: Is he part of the Sunset Magazine family?

B. May: Yes. Melvin Lane is the president of the Sunset Book Publishing Company and is the governor's appointee as chairman. The governor appoints the chairman and, I believe, the vice chairman. Let me say that I consider Melvin Lane one of the ablest chairmen that I've ever worked under. He is very fair-handed, a man who moved business along, who succeeded in attracting able staff members, and who saw that the agency usually lived within its budget.

Morris: Congratulations!

B. May: In very good style. The chief weakness of the commission and its budgeting has been that there is no systematic provision for enforcement, particularly in the smaller nibbling at the Bay. The big projects are usually observed, but particularly where some fill has started, it is often augmented.

Morris: In dark of night, or just that the Bay shore is so big that you can't patrol it all?

B. May: Oh, just that it's a tremendous mileage, but this may have changed.

B. May: There are a number of official observers of the Bay with boats, and there may be some cooperative plan, but there is no large fund for enforcement, except through court action.

Morris: Has this been resorted to very often?

B. May: Yes. And so far the commission has been sustained in every suit that has been brought.

Morris: That is a remarkable record.

B. May: There were some knotty questions where there had been intermingling, particularly in the so-called "grandfather" arrangements where something was done or on which work was started and money expended in advance of the passage of the law; those were difficult cases. However, recent legislation removes the grandfather provision on the grounds that there had been sufficient time for people to have made claims.

1969 Amendments: Implementation and Employment

Morris: That's a good point. In reading through the plan, I didn't come across any mention of housing. I wondered if that was a conscious decision in terms of what you were saying earlier about the people in industry being concerned that there would not be enough room for industry?

B. May: Yes. Of course, a great deal of the pressure has been for housing. In the plan at the end of the three years that was reported and adopted by the legislature, housing is not considered a first priority use. It doesn't mean that it is blocked out entirely because, as you would imagine, there isn't enough deep water for port or industrial uses everyplace. But it's not considered a prime water-oriented use, nor are hotels. [Laughter]

For some reason -- I think probably a concern for business, senior citizens, and sportsmen -- going to eat, preferable to eat fish, in a waterside restaurant is considered a water-oriented business. I don't think it really is.

Morris: I was thinking of it from the point of view that industry likes to be close to transportation. I wondered if there was any pressure for land to be held near the water ports and the airports for the kinds of manufacturing that require lots of shipping.

B. May: Well, of course, if you don't need the water in your process, you can use land near but not on the waterfront. You'd have to load it in something anyway to get it loaded in your plane or ship.

The use of the Bay for airstrips, where it involves fill, is considered marginal in the sense that there must be no other available site. Certainly from the point of view of safety there is an argument on the part of the airports that the approach over water is a safer one than over land. The argument about noise pollution [laughter] doesn't really apply.

Morris: Did the controversies about noise pollution and safety come to BCDC?

B. May: The argument about safety is certainly an argument for open water -- for San Francisco where they have a long water approach, longer than Oakland.

Morris: What did the legislature do with your recommendation that approximately six thousand acres be acquired for recreation and wildlife land?

B. May: So far no money has been expended, with the possible exception of the great refuge at the south end of the Bay, in which both state and federal money has been expended. Maintenance of the Bay as a viable asset really depends on keeping that as open marsh land.

Another, and one of the largest, park was purchased by the East Bay Regional Park District with their added voter-approved money for acquisition. That was the greater part of the property of Bethlehem Steel at Point Pinole. It makes a very fine park indeed, with a large acreage on the top of a hilly section with marvelous views of a part of the Bay that we seldom see, and then access to a narrow line of beaches along the water's edge.

Morris: They're really going to reclaim a stretch of industrial and and turn it back to recreational use.

B. May: Yes. This industrial land had a good deal of growth on it because it was very old. It hadn't been used, I guess, since World War I and there is a good deal of work to be done in taking out pits of various kinds.

Morris: Left-over pieces of steel mill?

B. May: Yes.

Morris: What did the commission decide about how much of the Bay could be filled? Could they say, "No more fill"?

B. May: You can't really say, "No more fill," in a developing technology, if you really believe in development. I think you have to have concern for people's jobs.

One of the weaknesses of the conservation movement is, I think, that we haven't really specified the potential jobs that are there, but are not so easily seen and not always developed. Of course, these jobs are not readily visible to unions and to the construction industry.

Morris: These are jobs in developing and maintaining recreational areas.

B. May: Well, for example, look at Point Pinole. They will hire rangers and a good many workmen, and these will be long term jobs. But that does not necessarily impress a union representative who is thinking of jobs for his particular craft.

Morris: Where there is intensive use of hundreds of men in one location.

B. May: Yes. And we need these, also. But we also need to know about the Bay-related jobs and, it seems to me, the state's interest in some of these jobs. Both the commercial and recreational fishing industry, which goes out from this port, the big charter boats, depend on the development of the whole chain of fish life which starts in the Bay. Many of the fish in the ocean depend on it too. Of course, some of our most valuable fish, like the salmon, depend on the whole estuarine system.

Another industry which I think perhaps we mentioned a while ago, which is tremendously important to California, is the tourist industry. As long as people are going to travel this is an extremely important thing for our state as a whole.

The Case for Regionalization

B. May: BCDC has many problems, but it has been hailed nationwide as a great success because the Bay is reviving. Fishing is better, though not everybody knows it. The water is cleaner, due in part to BCDC's efforts and in part to the work of the Water Quality Control Board.

B. May: Its chief opposition, I feel, continues to come from the local jurisdictions who would like to continue to make, as they say, their home-rule decisions. But they do not realize apparently, nor do their citizens realize, the great practical difficulties of doing this among so many jurisdictions, of getting nine counties and the nearly 200 cities to agree on a policy.

A much bigger difficulty is the fact that these separate jurisdictions do not have the money to carry through many of the things that need doing. At a time when BCDC, Sierra Club, Save-the-Bay, and others were pointing out to Governor Reagan the damage to the Bay that would result if there were not sufficient control of the water that was sent into the Delta and then into the river to keep the Bay free in summer from the growth of algae, from red tides, and so on, he replied, "Well, you wouldn't need so much extra water if, for example, even San Francisco stopped putting raw sewage in the Bay."

He pointed out how far behind the Bay Area was in regard to disposition of human waste in the Bay. But the melancholy fact remains that San Francisco simply hasn't had the money to pay the very large cost of modernizing her antiquated storm and sewer system.

Now, the same thing obtains for many other cities. We all talk about San Francisco, because that's a very spectacular offender.

Morris: Was it this kind of problem that led to the comment in the report that a new policy should be considered on property tax levels and the distribution of property tax revenues? Did the commission devote time to suggestions on revenue?

B. May: Not in great detail, but that is a consideration. Certainly it's not only the jobs in industries that the city has to continue to consider, but it's also their tax base.

Problems will continue to develop, with which only a regional agency can cope. There is the question of the very large oil tanker, for example, and its unloading by pipeline, whether it is at all safe to have that within the Bay, or whether, if the big tankers are to continue, there should be a pumpout facility outside the Bay.

Morris: In other words, as the technology continues to develop there will continue to be new issues that need to be resolved.

B. May: Certainly. I think it's very difficult to anticipate what will arise.

The problem is not entirely the number of agencies with local jurisdictions (although it is difficult to operate in an area that has so many separate agencies and so many special agencies), nor is it the size of the agencies. It seems to me it is the spread of interests represented and the qualities of the decision-makers and how they are selected, hopefully from a variety of sources.

BCDC still appears to me to be overweighted with the locally elected official who is under great pressure from the first needs of his local jurisdiction.

Morris: Which elected him.

B. May: Yes.

Morris: Has there been any discussion that BCDC might also go the direct election route, as the Rapid Transit District did in this last election?

B. May: Yes, that was suggested in the last Knox Bill. I thought that was a poor bill because it wiped out the state interests, the influence of the state and federal agencies with a responsibility for land use planning. And, of course, land use planning is really the basis of the whole problem of the Bay. This provided for local elections and would have removed the representatives of the state and federal agencies.

Morris: On the commission?

B. May: Yes. Here again we're projecting things into the future. It's interesting that reforms are made and then, funnily enough, things aren't perfect. [Chuckle] Then sooner or later, instead of getting many new ideas, people want to go back to some old one.

The long ballot is something that I can remember working against; we thought the short ballot was a great advantage because it meant that people could concern themselves primarily with a comparatively small number of elected officials. And now, look what's happened; just our local ballot the other day was very discouraging. I think it's very difficult to get a good electoral district if you're going to have a great many elective boards.

Morris: You spoke earlier of the difficulty of finding qualified candidates for a local municipal election. Does that apply also to new special districts?

B. May: I would think it might. To find people who can give adequate time. Also, it would seem to me if you wanted a group of citizens to choose, say, a board of twenty-nine or thirty, that would mean fairly large electoral districts, the whole question of campaign expense, and so on.

Morris: In terms of the functioning of a given area, do you suppose there is a limit to how many of these kinds of governmental bodies there can be?

B. May: Yes, I would think so. I don't know what the limit is. I know as far as the voter making adequate choices, many studies done in regard to the long ballot showed that it was inefficient because of the voter falloff.

Morris: The fewer votes cast on each item as you went down the ballot.

Conflicts of Local, State, and Business Interest

B. May: But the interesting thing in regard to any new social invention is: How does it work? Do people really appreciate it?

When you consider the tremendous hopefulness in regard to the Bay, the accomplishments of BCDC already, you very much hope that the plan will be strengthened and continued and not be worn away by the push for more fill and more development than the available appropriate sites can sustain.

Morris: What areas do you think need to be strengthened in the BCDC?

B. May: I would say that the state interest in the Bay should be maintained or even increased. I think that the question of conflict of interest has not perhaps been fully met or fully understood.

Morris: In what way?

B. May: The conflict of interest of membership on the board.

Morris: Present membership?

B. May: Present membership, yes, because there certainly are people who have conflict of interest either between their responsibility towards a local jurisdiction or a conflict of interest in their business affairs. This does have, but not always, some political effect. One member of BCDC who was defeated for re-election not long ago was, I was told, defeated very largely because he voted one way at BCDC and --

Morris: Another way back home?

B. May: Another way, and talked another way back home.

Morris: He didn't think anybody would ever check up on him?

B. May: The constituents did put two and two together. But I think that the conflict of interest should be recognized.

I would like to see, perhaps, more provision for the appointment of persons who are expert in some one of the fields of concern, men like geologists, for example, to speak to the presence of the earthquake faults and the question of safety of construction on many parts of the Bay with mud bottoms --

Morris: These things are beyond the capability of staff or consultants?

B. May: Well, consultants certainly can be hired, but it seems to me it would be helpful to have someone on the board with these special concerns and knowledge during permit hearings. There are some firms operating in this field who have a reputation of being very optimistic about deep foundations in mud and others who are much more conservative.

There is a committee on engineering design which does make recommendations to the commission.

Morris: Is that a technical advisory committee?

B. May: Yes, it is a technical advisory committee, but they have no direct power. The commission also has a citizens' advisory committee which has remained the same since the beginning except for occasional resignations.

Morris: What remarkable patience!

B. May: Well, the material is tremendously interesting, but I think there ought to be some provisions for turnover there.

B. May: I think the general outline of the general restraints on the commission are good. Nothing can be done too hastily. The commission normally does not vote on a proposal until the meeting after the public hearings have been closed. Again, it's a time consuming, semi-judicial procedure.

Morris: What kind of a turnout is there at hearings?

B. May: Depending on the issue, of course, normally a very good audience. The meetings are usually held in the big hearing room in the State Building in San Francisco. I think it seats 350 or something like that. It's usually, I would say, during the time that I was a member of the commission, normally two-thirds full, but often I've seen it when people were standing.

Changing Attitudes

Morris: After the plan was reviewed and the commission was made a permanent agency by the legislature, did you feel that there was any change in the applicants' attitudes or understanding of the concerns that the commission was upholding?

B. May: By this time there had been a process of education of the people who were likely to have questions and permits coming up. But it didn't seem to me that there was any particular jar as we went from the preliminary to the adopted plan. Of course, the new plan does provide for orderly amendment and change as it goes on.

Morris: I was thinking about whether developers, manufacturing people, and various municipal agencies went along with the need for some regulation of development and land use along the Bay?

B. May: [Laughter] It depends on whether they liked the decisions or not. Some did and some didn't. I mean, some people were enthusiastic, and some people discovered that the decisions were not unreasonable if you accepted as a premise that the people of California had decided that the Bay would be reserved for water-oriented uses.

Of course, people still disagree about that definition. San Francisco still feels that a highrise building on the waterfront is just the ticket, but so far no very highrise one has been built.

B. May: I think a great many of the major developers have discovered that the things that people would like to do to get to the Bay are not so formidable after all. To go back to one of our rather consistent opponents, the Port of Oakland has agreed to build a pedestrian access through by one of its chief docks where people can enjoy watching the loading and unloading and then get down to a little point on the estuary. I've forgotten whether they're going to tie this in to the path coming around from Jack London Square, or not, because we have lots of these paths.

Another consistent pain in the neck, of course, is the question of parking. Parking has not been considered water-related use. [Laughter] So, you can see there are lots of things to keep the commission going. But I think there has been a general continuing process of education and that people do question more than we did in the past, when we just thought anything a city or corporation did was inevitable.

Morris: A considerable change of attitude must have occurred if entities like the Port of Oakland feel the need to volunteer to put in a path and a walkway --

B. May: [Laughter] They didn't volunteer!

Morris: Oh, they were requested? By the commission?

B. May: This was something that was suggested, I think probably by the staff, because it's very hard for these people to believe that all people want is to get to the Bay, not to have a great deal of land. This is not to say it wouldn't be pretty, but nobody wants to take prime industrial land.

Morris: And put pathways and benches.

B. May: And put pathways and benches and plant trees in it. In fact, it's hard to get trees to grow in most of these sites, as Berkeley has found out.

Morris: With the wind, the salt and everything.

B. May: Yes. So, I think that idea is going. But I think these tough questions will remain, and I think the commission continues to need a good selection of people, not too related to the pressing need of their individual communities.

Relations with Other Agencies

Morris: Does the commission include any citizen representation? In other words, people who are appointed as lay persons with no governmental or business connections?

B. May: Those are primarily the governor's appointees. A great many other appointees come from local government; you've got nine county supervisors and three city council members.

Morris: In your observation, have the governor's appointees served well?

B. May: Yes, on the whole I think they have. I think the commission has worked well together with a great deal of enthusiasm, but these are early days, you know, and I was fortunate enough to serve when it was a new idea. The test for a plan or a commission is how it lasts as years go on.

I haven't talked much about the things that we felt were successes and achievements. I thought our accomplishments were really due to the enthusiasm of the staff; the able chairmanship of Mr. Lane; the constant surveillance from some planners and from citizen organizations like Save-the-Bay, Sierra Club, the Marin Environmental Co-op, the Audubon Society, and others.

Morris: It sounds as if not only the commission and its staff need to keep their enthusiasm and dedication, but also the citizen watchdog groups.

B. May: It was remarkable to me that interest was so sustained. A good many young people representing various groups came. I remember one amusing meeting. We were struggling again with the discharge of sewage in the Bay, the need for pump-out tanks on even little boats, and our attempt to convert the Navy to this.

The good commandant of the naval station at Alameda had said that he didn't believe that he was subject to a subpoena, but when asked if he would come on invitation, said he though he would.

Morris: That's a diplomatic reply.

B. May: We were meeting down the peninsula on another problem someplace near the airport. When we got there, we discovered to our astonishment that the Navy was being picketed.

Morris: Good heavens! For the issue that was before BCDC?

B. May: Yes, for the issue of what to do when one of those big carriers comes in and washes itself down and out. It's just like having a small town come in and add to the sewage. As I recall it, the pickets made a few extraneous remarks because this was also during the trouble in Vietnam.

Anyway, the captain came through the picket line and was heartily razzed by these young people. Then Mr. Lane sent one of the staff out and said to them, "Well, now you're here. If you are quiet and don't interrupt the meeting, we'll be glad to have you come in."

Morris: What a marvelous gesture.

B. May: So, they said, "Yes," and in they marched. But they weren't stupid, these kids. They lined their picket signs [laughter] against the bare back of the room, with their slogans facing the board!

I've never forgotten one bit of the Navy man's testimony. He was asked what they did in regard to pollution of the Bay when the Coral Sea or some other large carrier came in. "Oh," he said, "We just send the men home." [Laughter]

But he did accept a great modification. The Navy wanted to put some fill in the Bay and he did admit that they had no immediate plan for the use of that whole area, that they could get along with very much less. But I still don't know whether or not they just send the men home to use their bathrooms! [Laughter]

Morris: That's marvelous. Is it your observation that people making application can quite often cut down the amount that they think they need to fill?

B. May: Many times.

Morris: And still have a perfectly adequate project, whatever it is?

B. May: Yes, but, of course, not always.

There probably was in this case a nice legal question as to whether we could refuse the entire amount or not because, after all, the naval air station has been there a long time and the federal government did own the property.

But this real problem of the discharge not only of sewage but of tanks and whatnot in such massive quantities is a continuing problem.

B. May: But, as I say, I keep being sorry to dwell on the problems because I really think that there was --

Morris: That's not really a problem. It's the kind of incident that illustrates what the work is about.

B. May: Yes. But I really think it has been demonstrated that a single authority can make a much more evenhanded plan and I hope it will continue to be supported but watched carefully.

Morris: Did BCDC work together or consult at all with the boards of the Bay Area Pollution Control District and the Water Quality Control District?

B. May: Yes.

Morris: And are there jurisdictional issues that arise?

B. May: Yes. As I recall it, there were more frequent conferences with the Water Quality Control people, and sometimes we would say, "Well, you ought to do this first. It's primarily water quality," or they'd say, "Well, you'd better lead off."

Not so frequently with Air Pollution because they would have direct jurisdiction over any industrial violation. Their concern was primarily for the maintenance of a large body of water, which really is exceedingly helpful in the total effect on the climate and on air pollution.

Morris: I was particularly curious about the Water Quality Control Board because I have gathered that at various times they have been fairly strongly representative of business, commercial, industrial interests, rather than the broader interest of continuing quality of water supplies for all people.

B. May: I think this may be true. I'm really not qualified to make a comment. On the Berkeley City Council, I felt that they were, and rightly, concerned with a violation they discovered on the part of the city, one that we hadn't recognized until there were complaints about it. They seemed to me to be cooperative in their relationship with BCDC.

But, again, I think we have to recognize that large quantities of water are needed for modern industry and I would hope that much of that water could come from reclaimed water which would be, I have been told, much cheaper to handle than sea water.

Morris: Yes. It certainly seems as if there are many challenges left for young people.

B. May: Yes. [Laughter] How would you like a cup of tea?

Morris: Thank you. That's a lovely idea.

Richard Clark Challenges Reappointment
(Date of Interview: December 3, 1974)

Morris: You were going to tell me about the second time Richard Clark challenged you about BCDC appointments.

B. May: As you recall, I was appointed by Governor Brown to BCDC upon the retirement of Martin Meyerson, who had been an effective representative because he fully appreciated the two functions of the commission, that of development related to port and industrial uses of the Bay and reserving space for future uses, but above all the ecological protection of San Francisco Bay and, in fact, of the whole estuarine system.

In time, with the coming of a new governor, I was thanked for my service and relieved of the BCDC responsibility. This left another appointment to be made by ABAG, and at an executive committee meeting it was proposed by Mayor Maltester that I be appointed by ABAG and I was, with no fuss.

Morris: Why was it that in some cases the governor was making the appointments to BCDC and then in another instance it was ABAG? How did that work?

B. May: This is part of the political price that was paid to pass the BCDC act in the first place. The first version had a much higher proportion of direct appointees by state governmental units, both elected and administrative. But it was obvious that the League of California Cities and CSA [California Supervisors Association] would not go along with the bill unless the local elected officials had much greater weight. This left the governor with so many appointments, the speaker of the assembly with so many appointments, and so on. The local officials came out of it with four appointees from ABAG and one appointee from each board of supervisors and, as I recall it, one mayor from each county.

B. May: So, I had been one of the ABAG appointments for some years and then the time came up to renew these appointments because they were term appointments. This went to a nominating committee and they were to follow the pattern of appointing one each from North Bay, East Bay, South Bay, and West Bay. For our East Bay district, two nominations were received by the committee, one for Mayor Richard O. Clark of Albany and one for Councilman Bernice Hubbard May, the incumbent.

Mayor Clark began gathering political forces, and I'm sure there was a good deal of support for him among critics of BCDC, certainly advocates of greater filling of the Bay and advocates of the development of housing on the Bay, because Mr. Clark had worked effectively with a number of firms believing that housing is an appropriate use of the Bay shore, that we should go ahead with projects right now, and that it's a good idea to use the Bay for filling.

Albany had secured special legislation to give them grandfather rights and was proceeding to add fill in a way which was greatly criticized by conservationists. In order to put in islands they were filling a long causeway and there seemed to be no guarantee as to when or how this causeway would ever be removed, let alone the fill in the islands, which was at the time being criticized by the design committee of BCDC.

When the report of the nominating committee came out, they had selected Dick Clark. People who had watched my record began writing letters of protest, pointing out that the commission, by its very dependence on elected officials, had had a good deal of change in its membership, that there were few people who had worked through the preparation and the preliminary plan, and that they had liked my votes. The president of ABAG, who was still Mr. Maltester of San Leandro, asked the committee to report. Then he said that he had received an unusual number of requests for people to speak and that he felt that this was the proper procedure.

Morris: In other words, there was a time lapse between the appearance of the nominating committee's report and ABAG's taking action on it.

B. May: Yes.

Morris: But the report was made public?

B. May: Yes, the report had been made public and there had been several news stories on it. Mr. Maltester also reported, as I recall the

B. May: figures, plus or minus, that he had received something like 420 letters in support of me as a representative and four in support of Mr. Clark.

Morris: That's rather staggering.

B. May: It was staggering, and I'm sure it's just that Mr. Clark didn't think of it. Then the testimony began and there was a great deal of rather acrimonious testimony, not all of it on my side. Then Mr. Clark asked for the floor and received it and was very strong in his attack on me as a misguided woman, but also upon Berkeley as having, as he said, done everything they wanted to before BCDC was started and now wanted to be a dog in the manger, and that Berkeley was dumping garbage into the Bay without protection, and a number of other things that were not really so.

So, thereupon I felt I'd better take the floor and I did so by saying that I did want to be appointed again. I felt that to continue someone who had a total experience was helpful and that I thought an examination of my vote would show that I had not been prejudiced against fill if it came within the definition of being essential, and especially if it carried with it the possibility of removing fill at other points, so that the water of the Bay might stay approximately the same, and that I did advocate the continuance of industrial and port sites because the deep water sections of the Bay were limited and we couldn't use them for purposes not related to the use of the Bay as water.

Then I said that, in fairness to my colleagues, I must report that Mayor Clark was misinformed, had not investigated, or was misrepresenting the record of the City of Berkeley. Then I went down a number of the points, including the one about the garbage being dumped in the Bay, because it was diked with a waterproof dike. We said we agreed with him that the garbage shouldn't go there, but we'd investigated carefully and that every other city, including Richmond, was putting their garbage in a dump that was related to the Bay, and that we had been solicited many times by the Richmond Scavenger Company and that their rates were higher than ours and we saw no reason for changing, that we were pushing as hard as we could for some kind of joint action, but that we hadn't succeeded in this so far.

Then I went on with the other points about the great change that we had made in our city plan.

Morris: Before BCDC was set up.

B. May: Yes. And that all of the structures that had been put on the fill, which had existed since the early automobile ferry days, had been approved by BCDC and that they were approved uses under the commercial-recreation section of BCDC. I'm sure I said several other nasty things, but I'm sorry I can't recall them.

Morris: That must have been quite an occasion.

B. May: It was an occasion. [Chuckle] And then the voting started and we tied.

Morris: This was no secret ballot? This was everybody right there in front of everybody else?

B. May: Everybody in front of everybody else, yes. And we tied; whereupon, I could see consulting going around the table.

Morris: Did you and Mr. Clark vote?

B. May: Sure.

Morris: And you each voted for yourself?

B. May: Sure! Why not?

Morris: I just wanted to make sure.

B. May: I've forgotten whether neither of us voted or whether we both voted, really, but it didn't matter. This was a stand-off, whichever.

Then I saw Supervisor Chialvo whispering to someone.*

Morris: He was from Oakland?

B. May: Yes, from Alameda County. I've forgotten whether he made the suggestion or whether someone rose and nominated him. He rose and explained why he was accepting. He was then nominated from the floor, you see, to be the --

Morris: As a compromise candidate?

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*Councilman Felix Chialvo was Oakland's appointee to ABAG. Ed.

B. May: As a compromise candidate. He said, "I must tell you frankly, in case you didn't notice, that I voted for Mrs. May. I voted for her because she is competent and she has the time to attend meetings and she reports to us. But we can't be hung up this way and if any of you want to vote for me, I'll offer myself at this point as a compromise candidate."

Morris: Did you feel this was a serious attempt to win that appointment?

B. May: Not really. So, he accepted in these terms and he got, I would say, enough votes so that there was still no clear majority.

Morris: This was a ballot with three of you on it?

B. May: The three of us, yes. This all went very slowly because the parliamentarian, and I guess that was Art Harris at the time, was, of course, just leaning over so far backwards that you could hardly see him, which was proper.

When the results came out, Mr. Chialvo got up again and said, "Well, I can see that I haven't done any good, so I'm going to vote for Mrs. May and I suggest to everybody who voted for me, that the sensible thing to do next time around is to vote for her."

Morris: Was this the way the third vote went?

B. May: This was the way it went. So, that gave me a substantial majority.

Morris: Oh, marvelous!

B. May: And since I had a claque and Dick didn't, there was wild applause. [Chuckle]

Morris: Who had organized and how had they gone about developing somewhere in the neighborhood of 400 letters protesting Mr. Clark's nomination?

B. May: Well, he is greatly disliked by anyone who has worked on any environmental project for a long time, because he has worked with and represented developers who didn't have (and I think they don't have in Albany) a strong feeling for environment or for the kind of businesses they wish to attract to Albany. Many people disapproved of the fill for Golden Gate Fields in which he was involved.

Morris: Was Golden Gate Fields management or their directors a strong factor in Albany politics, or in Mr. Clark's support?

B. May: This I don't know. I really don't know enough about Albany to know.

Differences of Opinion on Environmental Issues

B. May: But Berkeley and Albany views seemed to clash frequently. I think we spoke, when we were talking about the BART planning, of the fight to bring the BART track up to Shattuck in order to relieve some of the student commuting pressure.

We weren't able to get either the university or BART to consider a spur track up onto the campus, which could have been a subway. This was opposed strongly by Albany, which felt that the Golden Gate Fields had generated a great deal of traffic and --

Morris: If the university had a spur, the racetrack should have a spur also?

B. May: No. They just wanted the whole thing to come along the highway and then, they said, it would serve industry as well as Golden Gate Fields. But since the season for racing is very short and the season for students is very long, and the university is one of the largest payrolls and traffic generators in the East Bay, that was one time that BART really was perfectly willing to go ahead and do what Berkeley wanted to be done.

But this whole squabble was, I think, unfortunate (though naturally, since I won, I enjoyed it) because I think it antagonized people who feel that any industrial use, whether water-related or not, was more important than attempting to plan ahead; and, of course, many of the industrial users, particularly those related to shipping, would have preferred to extend into the Bay, rather than use the land area behind the piers, for the trucking and the packaging in conveyers and so on. I'm sure this would have arisen whether or not we'd had this scuffle.

In another sense maybe it's a good thing. It did give another rallying point to bring out people who had a concern for the Bay as a great natural resource. And in a way, you need some dramatic things to keep people going.

I think, on the whole, that BCDC has been a real success. I think that whether BCDC will be able to continue to find good

B. May: solutions, solutions that will be supported, does depend on its being able to maintain state and federal interest in the Bay as a great national resource. I quite frankly think it needs constant citizen and other observation -- from both sides.

Morris: From the conservation side and --

B. May: And the development side, yes.

Morris: Has it been more difficult for BCDC to maintain the state and federal interest that you speak of, as other regional agencies have come along?

B. May: No, I think not. During my experience the federal and state agencies' attendance was good and BCDC has received a good many grants. One of its great advantages is that BCDC has believed in continuing and updating research. You will recall that in the preliminary planning, the first three years when we were studying the Bay and issuing permits, at the same time we did some twenty-five studies of the Bay (industrial sites, port uses, commercial and sport fish resources, the effect of tides, possible earthquake damage, characteristics of fill, etc.), a whole series of research efforts which were then reported on by research staff with an opportunity to view in larger form their charts and photographs and hear them justify their reports or to point out the need for continuing research.

All through this very strange year we've been having, I keep remembering the weather report that was one of the most indefinite that we received. The man who had one it pointed out that no one really knew what the length of a weather cycle was and that it would be maybe at least, one man said, 200 years before we would have a clearer picture of the possibilities of the weather and its effect on the Bay.

So, I think, one big reason for thinking about continuing BCDC as an independent operation is that I have seen no city council or board of supervisors or ABAG meeting that would stand still for that.

Morris: Their concerns are much more immediate than that.

B. May: Yes. Now, one answer to that might very well be that BCDC takes a good deal of time and daytime meetings, which make it difficult.

Morris: After your success in winning reappointment to BCDC from ABAG, did you feel your point of view was appreciated, that you had greater

Morris: clout personally?

B. May: [Pauses to think.] No, I don't really think so.

Housing Problems

B. May: I was teased genially for a day or so by the environmentalists and I'm sure there were people on the board, which was by no means made up entirely of environmentalists, who would have been glad to see another person interested primarily in housing, for instance. Housing is one of the great dangers.

Morris: Unsolved problems, too.

B. May: Yes. And there is not yet a realization of what we may be doing by wasting space that we need.

Morris: Your feeling is that there is still strong pressure to increase housing along the borders of the Bay or to fill shallow portions in order to put more housing there?

B. May: Yes. I think that menaces our major needs and I think the period we're in just now really increased that because there's no doubt of the fact that the building trades are out of work, and so are the developers.

Morris: So, they will increase their efforts to start new housing developments?

B. May: Yes. Now, there are a few places along the Bay where housing has seemed appropriate and there have been a few permits. Brickyard Cove off Point Richmond is now being considered.

Morris: As a suitable place for housing?

B. May: As a place that seemed suitable. It is a good place for a marina, a small boat harbor, and it has a pretty, distant view of the Bay and the water is so shallow that it couldn't be used for port or probably not for industrial uses.

Morris: The largest undeveloped territory that might be considered suitable for fill and housing would be the salt ponds. I have heard that economically those salt ponds are becoming less and less profitable.

Morris: Does that mean that there is increasing pressure to convert those to housing?

B. May: Yes. One of the very large developments which BCDC was instrumental in trying to stop was a large development for housing, in fact, another city in the Bay like Foster City, which predated BCDC. It was called Western Shores, as I recall it, and it was part of the plan to utilize the salt ponds. Many of us disagree with the feeling that this is a good housing site. The salt ponds, most of them, are on mud.

Morris: Who could grow a lawn on top of a salt pond?

B. May: Yes, but worse than that is the earthquake hazard.

Morris: Did any of the studies consider what might be a desirable use of land if the salt processing was ever discontinued?

B. May: Return it to the Bay, because then we would have the advantage of shallow water for growing food for fishes.

Morris: The food chain, yes.

B. May: And in the mitigating effect of a large body of water on the climate, the depth of the water is not as important as the extent of the surface to absorb air pollution, to mitigate heat, to -- well, those are the two chief things.

Morris: With their smog problem in the South Bay, near the salt ponds, I would think San Jose would be pushing to return the ponds to the Bay.

B. May: Yes. And they'd make fine bird refuges, too. A considerable number of salt ponds are going to go into the federal national bird refuge.

show in town for a long time'

Mrs. May at home with her poodle, Tibbi

Undismayed Mrs. May Retiring From the Council

Berkeley council meeting: She always kept her cool

By Judith Anderson

TWELVE YEARS ago Berkeley residents were asking Bernice Hubbard May why a woman would want to run for public office.

Today the question is, "Why are you quitting?"

Mrs. May, at 73, is more active and up to date on Berkeley problems than most women half her age. Her retirement next Tuesday marks the end of three terms on the Berkeley City Council, but that doesn't mean her interest has waned.

XIX DILEMMAS OF PUBLIC POLICY ADVISORY COMMITTEES

Search for Citizen Input

Morris: Well, now, should we talk about the three volunteer committees you served on after you retired from the council in 1971?

B. May: Yes, and I think it's worth noting the distinction between two kinds of volunteer activity -- the supportive service to an institution like a hospital or rehabilitation agency, in which the problem remains essentially the same but they need some supportive help they probably won't ever be able to pay for, and then the volunteer agency which is concerned with planning to meet a problem.

I think that volunteer planners can often be much freer in their impact on the planning and establishment of a new service than can people who are paid to make a report. They know they're not going to be hired to make another report if it doesn't meet the concept of the person they're selling it to.

Morris: In the area of human needs, you feel that people do a better job of planning for and defining their own needs without the direction coming from someone who's paid?

B. May: Yes. They need staff, but it ought to be staff that works for the citizen group rather than for the governing body, public or corporate.

In recent years HUD and other government agencies have had sort of a fetish for very large committees of this planning type. I think it's a hangover from the Great Society. What I think is worth discussing is not an evaluation of whether they were effective or not, but what process they involved and did the process seem to work.

Morris: Good idea. Were there notable contrasts between the ways these large committees functioned and a legislatively constituted body like BCDC, for instance?

B. May: Well, we were just saying that BCDC has bought time and has gone ahead to use that time in many ways effectively for environmental and social as well as developmental purposes. But it has been true that it is difficult for the person who's employed in the daytime with no freedom in regard to his hours of work and for the disadvantaged person, to be able to take the time and do the travel that is involved. This does, it seems to me, bring us to the difficulty that all public bodies have in securing reliable and dependable sources of what we call citizen input.

This demand for dependable citizen opinion is really what has put ABAG in its semi-official position.

Morris: As an advisor to public bodies?

B. May: No. As an advisor receiving money directly for it from HUD. When it became part of the policy of federal agencies that communities should be consulted about projects, the question is how do you get a reliable sampling. It's very difficult to do it by polling, many people believe, because the people aren't informed at all; but to make sure you get a cross section of citizen opinion is also difficult. We've had a number of tries at it, of course.

The old form of the commission, a body of citizens appointed to do this regularly and to hold public hearings and to review plans and to make recommendations to the final decision-makers, is subject to the malaise that affects all citizens because they are surprised and often discouraged if their recommendation, which relates to one segment of a budget or one segment of a year's responsibility, isn't adopted right now.

So, there has been quite a bit of experimentation and it's been fashionable to try to get very large groups, or groups that seem very large to those of us who are used to working with nines or tens or even twenty-fives.

Since I retired from the council, I have had the, to me, interesting experience of being on three quite large advisory committees to public bodies. One was a laudable attempt -- oh, they're all laudable attempts. ABAG appointed, I believe, some forty or fifty of us. I'm not quite sure. Some were appointed and some were chosen by groups that were asked to meet to think about how the citizens could advise ABAG.

B. May: The East Bay Regional Parks Board, with the help of the supervisors of the two counties, Contra Costa and Alameda, appointed a committee of, as I remember it, eighty-five to work for a year or more if we needed it with a research staff that they'd employed to make a plan for the spending of the money that was coming in from the new tax authorized by the legislature.

The third one was the Berkeley Charter Review Committee. And that also was a large and amorphous group. They had quite different results.

Berkeley Charter Review Committee

B. May: Let's begin with the Charter Review Committee because that started off first and was, for my money, an example of a committee for which there was no requirement that the members familiarize themselves with their task. Most of them -- not all, but most of them -- had had little experience with any process of arriving at consensus, of sharing ideas.

Some of them were certain that the only thing to do was to make sure that their names were on the stationery. We spent two or three evenings discussing whose name should be on the stationery, which most of us felt should be the city clerk who was serving as the secretary to the committee, simply to get the mail to the person more easily. But it finally became apparent that unless everyone's name was on the stationery, no one's name was going to be on the stationery. We thought that that would at least save some ink. [Chuckle] It wouldn't have saved any time.

I'm not saying we shouldn't appoint uninformed persons, but I'm saying it's a waste of time if you do not, in so large a committee, assign time to really discover what it is you are asked to do, what exists now, and what the proposals really entail.

Now, after being on the committee almost a year, I, with some reluctance, resigned because I simply felt I didn't have any more time to waste in talking about things that would have been clear if anybody had ever read the charter or some discussions of the powers and restraints on cities -- then there would have been some notion of what they were doing.

One of the topics that people kept trying to introduce and vote on immediately was, of course, the question of city manager versus

B. May: commissions versus strong mayors. Well, there was really no meaningful discussion of any of these as relevant topics. After a time, some committees were formed, but the main body seemed as little concerned to make these meaningful as the previous sessions had been.

Morris: Was this because members of the committee were not very much interested in the technical aspects of what the charter did say and what things might be able to be done better?

B. May: Well, yes, I would think there was a real lack of interest. They had been appointed by individual members of the council.

Morris: Was that an innovation?

B. May: This has been a recent innovation and, I think, a poor one, because if there is some general review, you are likely to get people who are more accustomed to working with others.

ABAG Citizens' Group

B. May: This committee appointed by ABAG also suffered from the fact that, while there were a number of able people on it, to the end of their work, I would say, the majority of members did not have a clear idea of what ABAG was, what it did, what its powers and restraints were. It met every Saturday morning from 8:30 in the morning until usually 4:30 or 5:00 at night. The very effective discussion leader who was its chief staffer let us discuss in a very free and open way a number of things that were wanted and needed in the Bay Area, most of which could not be supplied under ABAG's powers.

Morris: Were any of those discussions recorded?

B. May: Yes, they were all recorded. I think I did not keep them. The attendance, of course, dropped rapidly as, by the way, it did on the Charter Review Committee, which had started out with this large number and now, I believe, is operating on a quorum of nine.

Eventually the ABAG committee came out with a rather elaborate recommendation of holding a sort of convention in San Francisco at the Vets Memorial which would be open to any interested citizen. It would elect officers in a fairly elaborate structure, who would then set up organizing committees to recruit member and form committees

B. May: that would decide upon and discuss issues at various points scattered around the nine Bay counties.

Morris: All of this related to housing?

B. May: No. All of this related to ABAG as a whole -- you see, HUD does lots of things that aren't housing. It came out of the push for proving that they had some citizen input.

Morris: And what happened to the convention idea?

B. May: We went to the mass meeting, and people had just been invited to come in, a great many of them from senior citizen groups. Not that I have anything against senior citizens, but ABAG really has nothing to do with senior citizens. There were others whose interests were in going to a meeting that day, and others who'd come on to make sure that among the issues were some of the things that ABAG really discussed, such as, hopefully, total population growth for the Bay Area.

Morris: "Total" or "zero"?

B. May: I believe we said "total." I don't think it needs to be necessarily zero, but we certainly need to relate the growth to the land use that is possible and desirable and that will give a good employment and environmental picture for the people who live here.

Morris: That's a good statement of a population policy.

B. May: But when we arrived, it was obvious that a small group of people were going about campaigning to be elected to head this new organization, which was going to be called The Citizens' Forum, as I recall it, and they had little experience of how candidates interact with people. They were led by somebody who often appeared at the Berkeley City Council, a real estate man who presents a very conservative viewpoint and believes that we are in imminent danger of communism.

Well, anyway, his slate was elected. Issue committees were formed, and they began working at cross purposes almost at once. The upshot of it was that the issue people would plan meetings on a given issue at a given place and the organization committee would change it. So, the issue people got together and decided that this was just a kind of political manipulation that they didn't care to spend their time fighting, so they had an exceedingly novel idea. They disaffiliated. They came in and reported to ABAG that the lines of the recommendation for the structure which ABAG had

B. May: approved seemed to them not workable and so they were just going to disaffiliate.

Morris: But did they wish to still retain a contact with ABAG?

B. May: They wished to retain a contact with ABAG and report, but just on the issue business in which they were interested and on which they would furnish their views and so on.

This, of course, was very surprising. And, of course, both groups wanted money, you know, for rent and so on. So, after some turmoil and rather hastily, some people thought, the ABAG executive committee decided to just drop both of them and to set up a fund (not a large fund, but some rent money and so on) for any citizen organization to apply for, with a project in regard to a subject of interest to the community and of interest to ABAG and that they would get a larger or a smaller grant. That has gone forward with, I believe, neither of the warring groups getting a grant.

Now, my theory has been that if the group had been forced to look at the task assigned to them -- I mean the original committee group -- so that they'd have been working on that, rather than how you include everybody and how you lead a discussion group and so on, that we might have done better.

Morris: What about the convention itself? Was there any way they might have forestalled one point of view taking over the process of setting up the citizens' forum?

B. May: Well, there would have had to be a counter slate and more control of the ballot boxes and so on. But it was an interesting example of how an amorphous group meeting together for the first time can be manipulated by anyone who says, "Oh, vote for --."

Morris: A small group that really knows what it wants to do.

B. May: Yes.

East Bay Regional Parks District Task Force

B. May: Now, turning to the East Bay Regional Parks Committee, which was a large one. Did you say you checked the number?

Morris: Yes. It was eighty to eighty-five original appointees. Did this committee, as you said about the other two, trickle down to a smaller number who continued to attend and participate?

B. May: Yes. As I recall, it went down to fifty people who were actually working, some of them on only one aspect.

This committee was set up in this now classic form. We were all going to meet together and discuss. Well, they'd invited a good many people to be on who were experienced in organizations.

Morris: Was everybody appointed by the Regional Parks Board?

B. May: I don't think they were all appointed by the board. Some were appointed by the supervisors of the two counties to emphasize their citizen character disassociated from being just board supporters. I was appointed, for example, by the Alameda County Board of Supervisors. Everybody in conservation wanted to be on it, but this time getting appointed was harder.

Morris: What was the particular attraction?

B. May: Many of us saw this as a chance to really get some of this money from the recent tax increase for what we felt, and still feel, to be a great deficiency for parks that give access to the Bay, which was and remains the East Bay parks greatest deficiency.*

Morris: What sort of negotiations were there with -- let's see, Joe Bort was our supervisor then -- for appointing you?

B. May: Well, he offered me something else and I said, "No, but I'll take the Parks."

Morris: Did he know you really wanted to be on the Parks Committee?

B. May: Well, he knew after I told him. [Chuckle] And he wasn't just pleased, but he said, "Well, we've got so many now, why not?"

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*Carl Irving commented in the San Francisco Examiner & Chronicle, March 16, 1975, that "The East Bay district, which had concentrated on acquiring East Bay hills in years past, gave shorelands first priority beginning in 1970." Ed.

B. May: I don't know how others got on, but there was all that lovely money; we were being taxed for it.

Then, viewed from the point of view of scarcity of parks -- it's almost a shame to use the word "parks" in relation to the Bay because what many of us feel is most needed is really just a scrap of land to give access.

Morris: To get on the water?

B. May: To get on the water, yes. Of course, if there were land, it would be pleasant to have a little more park to sit on, but until you get to the South Bay, you see, there's no place that's very cosy.

Morris: No. I think of that stretch of highway in Richmond where, on a Saturday or Sunday, you see the boat trailers lined up along the road; there must be some driveway that goes down between the construction yards to the water.

B. May: Yes. But no fishing is allowed. You see, the great population that is without outdoor recreation is found in some of these places, where all they really want is freedom to get to the Bay.

One of the things that we learned out of the Berkeley waterfront project is that people do not come to picnic with father, or brother, when he is fishing. We thought it was because they had no place to sit, so we built what we thought would be a little sun trap. We put sand in and native plants and shrubs and birds come flying around, and it's barely used except by the naturalists.

Morris: Where does the rest of the family go while father and brother are fishing?

B. May: I don't know. Movies, maybe. The whole family doesn't seem to come fishing.

The Bay access sites, we thought, would be used by active people, people who wanted to bicycle where the bicycle trail around is worth it, people who wanted to walk, and so on.

But, anyway, the committee was quite a well-balanced group. It was too well-balanced, we found out later.

The planning firm run by Morris Udall was doing something else around here, so the Park District hired it to do a master plan for the regional parks. This turned out to be not so much a master

B. May: plan in the conventional sense, but rather a listing of a great many possible sites without recommending one above another; and then a proposed method of rating these sites in regard to given characteristics, such as accessibility. You scored so much for each thing, then you charted them on a graph.

Morris: Did the committee as a whole do this rating process on each parcel of land?

B. May: No. This would all be done according to the definition referring to the Udall reports and we were to hear the progress. The man who was directing it had been the second in the staff of BCDC, Alvin H. Baum, Jr.

Morris: So the staff for the parks study was familiar with the kinds of issues that BCDC was interested in?

B. May: The rest of the staff was not, Mr. Baum was. He had come from BCDC. He is both an attorney and a planner.

We began meeting with him en masse and there were some questions and then discussion. Since the group was an experienced one and had worked on committees (but not together before), they began at once demanding that they break up into a committee structure. There was some opposition to this because the theory had been there would be this great consensus. But we wouldn't stand still for it.

Morris: You thought you could move faster if you broke into small groups.

B. May: Much faster. And we thought that we could come back with recommendations. But this, too, from my personal point of view, was not the best way of proceeding because --

Chairman Bort said, "Well, I wouldn't do it by committees, but if you want to do it, it's going to be your report in the end."

Morris: Joe Bort was chairman of the task force?

B. May: Yes. And he said, "So, what committees do you want and how will they be formed?" And then he thought of a committee, and before I knew it I was chairman to review this numerical rating system.

Morris: It sounds like an inventory of potential park land.

B. May: Yes.

Morris: That is an interesting approach.

B. May: And Kay Kerr and others rapidly formed a committee to consider Bay shore parks. Glenn Seaborg, who was a devoted member of the task force, formed a committee on bicycle and foot trails.

Morris: It sounds as if you selected your own priorities and made up your own groups.

B. May: Yes, we set up our committees, but they did not necessarily bring people together. There was one committee on the deficiencies of existing parks.

Then, a small group of us were going to draft a proposed report for the final sessions of the meeting.

Morris: Was that a steering committee with a member from each of these other committees?

B. May: The chairman of each committee was selected [chuckle], self-selected.

Morris: To draft a report?

B. May: Yes.

Morris: Did you feel that all the important aspects of the park and open space question were covered by this process?

B. May: All that were important to the members of the committee. [Chuckle] But on all the committees we now feel, "We were betrayed!"

Morris: What happened?

B. May: What happened is just what you would expect to have happened. We got all our chairmen together for Saturday and we went up to the Park District headquarters.

Morris: Out in the hills of Oakland.

B. May: Out in the hills of Oakland, and pounded out this report with its major recommendations. Our recommendations, as we recall them, were that top priority should go to small parks that would give access to the Bay, the bringing of existing parks up to the standards of the new ratings in regard to size and so on, and as a third priority there should be a system of bicycle and pedestrian trails that would link all of the parks. We made another recommendation that there be no money spent on buildings, which the legislature

B. May: had already said, but we were re-enforcing that.

Morris: Then how did that learning center that was built in Charles Lee Tilden Park last year come about?

B. May: Well, they told us that had been planned ten years ago under another director. But they didn't tell us about that money.

We also made a number of recommendations in regard to the way they did their business.

Morris: Was that within your charge, or did you just feel it should be said?

B. May: We felt it should be said. We had added it to our charge in the committee that the whole budget procedure should be reviewed, and that the board should have a competent budget officer, and that they have a management survey, which they have done. They had it done by Arthur Little, which is okay.

But when the final report came out, the board did not adopt in their final report either Al's staff report in its entirety or the committee report. And the committee again and again pointed out to them the fact that, if they wanted to reach a large population that was not having any real form of outdoor recreation, they really should begin with the Emeryville Crescent, all of the estuary, all through linking Emeryville and Berkeley for fishing and walking and bicycling. And that has not been done.

The one thing in the way of Bay shore parks that we pushed through was the purchase from Bethlehem Steel of that large new park at Point Pinole, which is fine and I'm delighted to have it, but it doesn't serve the heavily urban middle area along the East Bay.

Morris: Didn't the Point Pinole land take another round of citizen agitation and a ballot measure?

B. May: No, no. There was protest from this little community just outside Point Pinole that had a little tiny scrap of land that the park had bought. They felt that there should be some local control of that park and that it should have a building and so on. But we recommended against that, and I don't think anything has been done about it, though I haven't been following what the Park District does.

Morris: In other words, the bumper stickers that were around about a year ago which said, "Save Point Pinole," were the local Pinole people rather than people who had worked through this regional park process?

B. May: Yes. The community bought it at its start. Later, they thought they'd get their foot in, and maybe that was a good idea.

Morris: To go back a minute, I'm interested in this Udall planning firm. How did they happen to be retained to do this job for the Park District?

B. May: I think they were going to do the open space element for ABAG, and ABAG gave them their big contract. So, the Park District thought they'd use them and save a bit of time.

Morris: Did people from the Udall firm actually come out and survey various aspects of open space?

B. May: Oh, yes. I don't know how large their staff was on that project because I wasn't going to ABAG and I didn't hear those reports. But we had a staff of about five all together on the park report.

Morris: Were those in addition to the Udall firm?

B. May: No, they were working for the Udall firm. They met with some of our committees, depending on what the subject was, and I think the young woman who said that she thought the attendance was not good was thinking about the meetings she saw at park headquarters. We usually met in a school auditorium.

Morris: Closer to the population. I see, yes.

B. May: Yes. And in different places. We moved around. We got lost a lot.

Morris: I believe it!

B. May: But we saw a lot of fancy schoolhouses.

Morris: Yes. Were these meetings in the form of hearings or open meetings to which interested people could come?

B. May: People could and sometimes did come. They were open meetings, usually consisting of a report from the research director or some member of his staff, but usually the director. Then, as the committees

B. May: started their work, reports and recommendations from the committees.

We adopted these temporarily, so when we wrote our final committee report, we did have a record of the recommendations and how many times they'd been voted.

Morris: On evaluating these inventories, did your committee go out and take a look at the land that was being talked about?

B. May: Yes. We had a whole series of field trips. I'm sorry to say that that's just about when my back began going out on me. [Laughter]

Morris: Oh, my. Some of that land was pretty inaccessible, too.

B. May: Yes. So, I missed some, but not all of them. But if you had gone to everything, you would have seen all the major sites under consideration. The main tenor of my committee's report was that the system of voting was not applicable, evenly, to all kinds of parks. For instance, if you were recommending land for a wilderness area or at least a natural preserve, because we don't really have wilderness land here --

Morris: Not in Alameda and Contra Costa counties.

B. May: No. But if you were looking for a preserve for native species and for walking and observation, accessibility is a ridiculous factor. You don't want accessibility. That one sticks in my mind, because I kept muttering about transportation, too.

Then the committee had one staff man, not chosen by us, of our own who came from Contra Costa County and was very pleasant and efficient and didn't always agree with us, but it was kind of fun to have him say so.

Morris: He was detached from his regular job with one of the communities out there to staff your committee?

B. May: Yes. One of the strong Contra Costa interests was that they felt they ought to at once catch up with Alameda County. And we said, "Well, we paid the taxes for years for our parks. Now, you wait. You get your taxes up to where you're really paying for them." Much of Contra Costa really would like to have the Park District run their recreation program.

Morris: How was that received? Did this issue come to your committee?

B. May: No, it didn't, but it was tossed around in one of the other committees.

Morris: That gets them involved with the school districts in very short order, doesn't it?

B. May: Yes. Of course, Berkeley was opposed to it, and the open space people, primarily were opposed to it because we still feel that all the land we'll ever get is what we'll save in the next ten years, if that long.

Morris: If it isn't sequestered in the next ten years, it will be subdivided for development?

B. May: Yes, it will be lost, though it may be that changes will help some of this, but we don't know. For instance, it looks very probable now that we will all be fighting to have tankers unload at sea in a pipeline, not come into the Bay at all. You see, that would remove one industrial area right there. The big tankers, even with dredging, couldn't get up to even the Standard refinery in the Bay. The idea was that they would pump out into a pipeline maybe, oh, about at Raccoon Straits and it was questioned as to how they're going to avoid oil slicks out at sea, but then that's another problem.

Morris: Did you feel that the Udall method of going about finding what the future might hold in regional parks was the best way it could have been done?

B. May: [Pauses to think.] Well, I think that planning should begin with people, with where they are and what they need or what is possible to give them under the physical conditions that obtain. So, I was not an advocate of what seemed to me a mechanically-devised rating system where your judgment is centered on and is concealed within a characteristic. It makes it just as much a personal judgment, it seems to me, without the attention being given to what the relationship is between the physical possibilities and the people who are going to use it.

Morris: Hearing you discuss all three of the committees, I think there are very interesting variations between them in this application of the large-size committee.

B. May: Yes. But, as I said [chuckle], I came away with the feeling that the Park Board is a long term board, very satisfied with what they have done and very proud of it. They were not prepared, I think, to receive many of our ideas because they didn't incorporate or

B. May: print our report. [Laughter]

Morris: Did your task force challenge the board at all or go to the media as to why they had omitted some of your hard work?

B. May: Well, the newsmen were there, of course, when our report was presented. We got some news then. But I, at least, thought we were wrecked politically, not only by the board, but also by the fact that most of the staff have been there a long time. They like buildings. They like what they do. The schools like what they do. They never seemed to realize that we weren't saying, "Well, you have to stop what you're doing now. We just want you to do the new things along these lines." And maybe you can't do that with inertia of staff to overcome.

I don't know what's been going on with the observation of the board, which we had hoped to develop.

Morris: You wanted to have some citizens accept the responsibility to monitor what was going on?

B. May: Yes. We did have some effect, in that we recommended much more intensive publicity campaigns and they've been having more news stories and more car placards and so on and have thought about doing some studies of their clientele.

Morris: I was wondering if there were any statistics on use and non-use.

B. May: No. Well, there are statistics on the attendance at different parks, but, again, these are very difficult to correlate if the objectives of parks are different.

Morris: There are also a number of East Bay Municipal Water District park facilities. Were they included in figuring out the amount of total open and recreation space?

B. May: No. That's a decision of the East Bay MUD. There was some talk about correlating the trails [chuckle], but that's all I ever heard being said about it.

Morris: You said that you related some of the site studies to current standards for recreational space, and I wondered if the water company's --

B. May: Oh, no. This related just to our sub-standard parks, because the East Bay Regional Park District had a number of parks, particularly a couple in Castro Valley -- one of them, I think, is on a lease

B. May: arrangement, and one was a gift of land to the parks.

These are both quite small and it was hoped that they could be put together and make one larger park and bring it up to the standard that the number of people living around there really would justify, because with the exception of points of access to the Bay a regional park really should be fairly large. It shouldn't be replacing the small neighborhood park.

Morris: I understand. I was thinking about it in terms of figuring what different kinds of open space are available to a citizen, a man and wife and their kids, who don't think in terms of: "This is city, or water company, or Park District," when they decide where they are going to go on Saturday afternoon.

B. May: Oh, no. It depends on what they feel like doing today.

Morris: Well, I must say, those committees were very fortunate in having on them somebody with all of your experience with government.

B. May: We just had experienced different problems! [Laughter]

Morris: Yes. In other words, you're saying that the park committee, because it had more experienced people on it, probably could do more and more quickly than a committee that was not all that clear --

B. May: Well, we really knew something about the agency. I'll bet there were a number of members who were better informed than I.

Morris: But you knew how other public agencies work.

B. May: Yes. And I knew how some of the parks worked and also knew something about the Park Board. It was an amusing and interesting experience for me, because I had never worked so long on a report and seen so little of it adopted! [Laughter] But, never mind. I'm sure we made some converts.

Morris: Yes. And if we can put that work that you did on your report into the archives it may inspire somebody to dust it off and do something again.

B. May: Yes. Well, I think that it's likely to be used more to help the idea of having a big park over the hills around the top of the ridge, that ridgelands idea, and that would be good, too.

Contrasts and Comparisons
(Date of Interview: December 11, 1974)

Morris: What did you feel were the contrasts and the accomplishments of the three citizen committees you served on after you left the council My impression was that the park advisory task force by and large was made up of people with more community activity experience and political experience than the other two committees.

B. May: Yes.

Morris: And that this seemed to make it function more effectively.

B. May: Yes.

Morris: Did you mean in terms of what they were able to accomplish within the scope of the committee's --

B. May: Yes. They knew what questions to ask to define the type of responsibility they were to undertake. Even so, I felt that the formation of committees by the group itself was not the best way to set up a work program because some aspects of real interest to people living in the districts were not covered by a committee, since the committees depended on the initiative largely of small groups among those who had been appointed, and there hadn't been any preliminary outline which the group might have accepted or added to or modified to make sure that they were covering all of the interests represented.

Morris: Are you thinking that it might have been better to appoint a broader representation to this kind of committee?

B. May: I think it would have been better to have had either a preliminary plan prepared by the staff of the kind of assistance they wanted. Another effective device would have been a committee on planning to start out with. After all, we worked for something like fifteen months and that's a long time to go.

Morris: On the park task force?

B. May: Yes. And that's a long time to go without a specific plan to work out.

Morris: Was the Citizen's Charter Review Committee conceived as a committee set up to assist staff, or was that more a committee set up because there was community pressure?

B. May: There was no community pressure for it.

Morris: For the Charter Review Committee?

B. May: For the Charter Review Committee, that I could see or hear of. The question of the city manager form of government had certainly been discussed by small groups of people. But I am convinced that its selection for the election in '71 as a major campaign issue had been in regard to a very long recognized political principle (if you want to use a longer word) or political ploy, if that suits you better. That is, if you have no issue on which a community is fixed -- for example, if you have no issue like the issue of no freeway in Berkeley that you're certain will have majority support -- or if you do not have two or three issues which do not conflict for space or for (hopefully) money, that involve large numbers of persons, it's a good idea to pick an issue on which there is no already-existing opposition. And you can talk about it. There isn't a large group who's going to say, 'Well, don't vote for these idiots. They want to change the city manager form." This was something that was just sort of like the climate. People pretty much accepted it.

That is often a very good way for a group that is coming up to get started and not to arouse opposition by tackling something on which there is already fixed opinion. I think you can judge the lack of community pressure for charter review by the fact that it was difficult to get people to serve on the committee and also that at no time did we have more than four or five in the audience for the committee, one of whom was almost always Catherine Dewey -- she came and listened with respect to her husband's views and the views of others. But this really can't be counted, it seems to me, as representing a great surge of new interest.

Morris: She came because her husband was a member of the committee?

B. May: Yes.

Morris: Weren't there a number of bright young men on the committee, such as Mike Heyman, who had been, I gather, interested in liberal causes for some time?

B. May: Yes. Mike had served on city commissions and did not seem to me during the time we were both serving on this committee to have made up his mind as to whether a change was needed or not. He had been asked to serve and came. Most of the persons who were really wishing to consider the actual workings of the charter were

B. May: attorneys, as Mike is. And there were some members from the League of Women Voters who had been appointed by various council members and they too were devoted and serious.

But a number of persons came with the idea that it was all cut and dried, that you were just going to abolish the city manager form and institute -- most of them, it seemed to me, felt that the strong mayor form would be more appropriate.

Morris: Is it true that there were considerable organizational difficulties within the committee, that there were political maneuvers as to who was going to chair, and that sort of thing?

B. May: Yes. There was a long organization period where I think that the then-council had dropped former effective procedures and practical ways to get a group on its feet. There was no decision, for example, as to how a chairman should be chosen, and there was a long squabble over the idea that there should be a different chairman every time, that it might rotate alphabetically or some other way. This was opposed by people who felt that continuity was important, but finally, this was resolved upon.

But I must say that in the roughly six months that I served on it, it seemed to me that no real substantive issues were discussed.

Morris: Did you feel that the political maneuvering within the committee was increased because people had been appointed individually by council members?

B. May: Yes.

Morris: How did the committee get along with the city staff?

B. May: Well, we didn't have any city staff, really. The staff [chuckle] consisted of two law students from Stanford who really knew very little.

Morris: It was an intern situation for them?

B. May: Yes. They knew how to draft a legal document if someone told them what the substance was going to be, and they were very fearful of exerting any leadership in regard to the substance, because of the great diversity of views. They provided a good deal of, I thought, quite theoretical material with very little reference to Berkeley or with very little reference to the practical political situation in other cities in and out of California.

B. May: For example, none of the references to the strong mayor, with the mayor as the leader chosen by the people, dealt with the great problem of the strong mayor form. The problem with the strong mayor form is not electing the leader; it's disposing of him at the end of his term. The classic example of the strong mayor, of course, is Daley in Chicago.

Morris: I see that he's going to run for his eleventh term next year.

B. May: Sure, and he'll get it. And what was the name of the Boston strong mayor who was re-elected while he was in jail?

Morris: Curley?

B. May: Curley, yes. And, of course, up till Lindsay, New York had a variety of strong mayors who were re-elected and usually left because they could now afford to live in Florida. It would seem to me that in a small California city in which there is a strong prejudice against graft, it would be very difficult for a man in two terms to provide for the rest of his life and there's not much place for a mayor to go.

The legislature is really about the next step. If you take a man out of his occupation and give him a full-time, heavy administrative job, it seems to me you have to think about how you're going to get rid of him.

Morris: On these other two committees we're talking about, was the staff more of a leadership factor in the work of the committees?

B. May: Oh, yes. And we knew this when we came in to serve. You see, on the park study our role, as we understood it, was to keep in touch with both the park board and the Udall staff, and to make (and we did make) a good deal of change in the Udall recommendations, although the park board did not make as many as we had voted. Then we were also reporting at intervals to the park permanent staff and to the board. Some board members attended our general meetings quite regularly (Mary Lee Jefferds and Dr. Cogswell, for example) and board members came with us on many of the field trips. Our position all came out in these separate things you see.

I was thinking I would just give you all of this and then you could struggle with it. [Points to papers.]

Morris: This is the report prepared by Overview, Udall's people, and then there was the plan as your committee revised it and sent it on to the Regional Park District Board.

B. May: Yes. And then there are all kinds of letters and comments and whatnot. [Looking through papers.] These are things that we presented to the board and task force organization. Oh, we wrote like little beavers! [Chuckle]

Morris: And even so, it didn't convince the district of the validity of your positions?

B. May: Well, we didn't convince them of our major recommendations. We made three major recommendations which have not been followed by the board. They gave a little lip service in the master plan, but did not accept them really for action.

Our recommendations were that they give first priority to what we considered the major deficiencies: shoreline parks, deficiencies in existing parks, and a system of horse, bicycle, foot trails to link all the parks. This really has not been accomplished, though it may be. If I get to be really ambulatory again, maybe this is one of the places we should, or I at least should, follow up on.

Morris: It would seem to me that the linking trail idea would be a fairly visible thing for the district to do and it would cost less money than --

B. May: But you see, in the first place, they like buildings and they like staff activity.

Morris: This is the staff or this is the board?

B. May: I think it's both, and I think it is true of the staff. And then I think that they did not agree, or perhaps did not even understand the politics that we were trying -- some of us at least, like Kay Kerr. I'm not sure that all the people who were on the conservation committee really realized what we were talking about.

What we were saying was, "Look, you've got your middle class people who live out in the hills anyway. They're going to support you. But if you really want popular support, you've got to put some of the parks where you don't have to have a horse or an automobile to get there, because you aren't ever going to have mass transit to some of the most remote parks and the people who have the least recreation are the very ones now that want fishing and boating. They like it. It's part of their culture. And they vote."

Morris: That's a valuable point; I think it ties back into some of the things that you were talking about that the council was trying to do when you were first on it, which is the question I want to ask you today.

XX IN CONCLUSION

Accomplishments and Satisfactions of City Council Career

Morris: How would you summarize where you see things have come since you first went on the Berkeley City Council in terms of accomplishments and satisfactions?

B. May: I think that as we talked about each of these major issues that we have chosen to discuss at some length, we have to look at changes in attitude that have come about. I take great satisfaction in the result of our long struggle to bring about a more inclusive society in our city. We didn't achieve our objective of a local fair housing ordinance, but if you look around Berkeley today and at Berkeley's housing today, you will discover that it is much nearer to being a fair-housing city than most cities our size or most cities in this area. We no longer have a Mason-Dixon line that we can point out on the map. It has shifted towards the hills.

Now, if you define a fair-housing city by saying that in general each census tract has a normal distribution of the population elements in the city, we have not attained that and perhaps we don't even need to attain that. I mean, I think that there will always be a certain clustering of like-minded people in areas, and as long as anyone is free to live any place he wishes to, this may be what we need.

In other parts of city life, during the period from the end of the '50s to the beginning of the '70s, we made great changes in employment in Berkeley, both public and private. We no longer look around with surprise when we see black saleswomen or blacks in a whole variety of positions. Certainly that's a much healthier kind of city. And throughout that time, the city did lead the way. We had the first black personnel director of any city in California, for example.

B. May: Certainly, it's not perfect. But one of my older black friends said to me one day when I was saying regretfully that we hadn't done all we started out to do in the field of integration, "Don't be silly! Stop feeling so guilty. You did what the people would let you do at the time."

Morris: That's a very reassuring thing to hear.

B. May: Yes. He said, "If you hadn't started, where would we be?"

Then, certainly, one of Berkeley's great successes during this time was its change toward open space and a better environment for living, more open space for the city. The dramatic change, of course, was the change of policy in regard to San Francisco Bay and our determination to use our section of the Bay as Water and not as rather inferior real estate based on mud! This too leaves much to be done because there is still private property along Berkeley's shoreline.

I think there the prospects are hopeful, particularly if the state policy remains the preservation of the Bay as a great and dramatic natural resource. This, to my mind, does not mean giving up jobs for Berkeleyans because an adequate use of the Bay for recreation would generate jobs that could be easily be as profitable and interesting as jobs that might be generated by a housing development. Berkeley, of course, has no deep water and no port prospects, so that our choice is to use the Bay as water or a earthquake-prone housing.

Another thing that we've discussed was the effort to avoid highrise apartments in Berkeley, particularly in the flatlands. There, of course, opinions still vary. There are people who believe in highrise, but I think these people have not seen crowded public housing or crowded privately built apartments.

I think that the day may certainly come of more multiple unit housing. But the American family in a climate like California still prefers the single-family dwelling, not so much for its interior, but because they want to be close to the ground. They want their children to play out of doors. They do not have, as people have in Europe, nursemaids to take the children to the park and they want them playing in the neighborhood back yards.

The effort to protect Berkeley's sound, older housing districts from destruction by too much development was, I think, a very excellent thing. I think for a town or a city to let

B. May: innocent outsiders come in when it does not have the schools, the parks, the street capacity, the other public services to back up the needs for American family life, is really a deception and certainly does the newcomer no good when he discovers that he's going to pay very high taxes for services that are not yet ready for him and his children.

Morris: Was there ever a time on the council when you felt that the services were ready and in balance for the kind and size of population that we had?

B. May: No. When we were elected to the council we had sought this because we thought the services then were inadequate, brought about largely by the great mobility and the great influx of people to this area as a result of World War II. It was not entirely due to the pinch-penny policies of our Republican predecessors, though this did handicap meeting the needs of our new population, because we hadn't really maintained the streets, and the public buildings and community facilities were not adequate.

There we did accomplish a good deal, though not all we would have liked to. We lost bond issues, so we paid for those three swimming pools, of which I am so naively proud, out of current taxation. But if you go down on a warm summer day and can hardly see the water in the pool for the children, you think those taxes were well paid. And the same thing can be said of tennis and other big muscle activity as well as the parks that are for just calm and beauty.

I think that the drive during the period that we have been discussing for better mass transportation has been important, and I think Berkeley was right in undergrounding BART because it does leave our small city undivided and with the opportunity to use our land, all of it, in the best ways that we can devise. But BART is just the beginning of the kind of transportation that we need, which will enable the jobholder, the older person, the young person who can't drive to get around, and which will be an asset in keeping down air pollution.

Morris: It occurs to me that it's possible that the bury-the-tracks campaign was the last political issue that gave everybody a spirit of togetherness.

B. May: Yes, it did.

Morris: And we haven't had one like that since.

B. May: And the response then was overwhelming.

Again, as we've said earlier, a problem that Berkeley shared with all the surrounding communities was that of violence, particularly at the end of the '60s, violence and crime. I think that we have suffered from a variety of difficulties in meeting it because of complicated jurisdiction and divided jurisdictions. But I think that here, too, the home and the church and other institutions must share this responsibility with the schools and the city government which cannot meet it alone.

Regional Government Progress

B. May: In regional government we have not yet arrived at what would seem to be an effective form of action on regional problems, but this is a difficult question and we certainly have been thinking and talking about it. We have not yet come to a conclusion in regard to how we should choose our decision-makers for regional problems, but certainly we're working there. I still prefer the Berkeley recommendation that we have a regional body made up of directly elected representatives from manageable districts, that it include representatives of state and federal governments, not only to have the impact of the statewide interest, but to place us a little nearer adequate funds for many of these projects. I think that the local jurisdictions should also be represented in order that they, too, may put input into these tough choices.

Morris: How do you elect a state representative to a regional body?

B. May: You wouldn't elect a state representative. It would seem to me it should come, as it does in many regional agencies now, by appointment from the governor and the legislature and from the boards or staff of such agencies as the State Land Commission and Department of Fish and Game.

Morris: Does a regional government to be effective need a taxing power?

B. May: Yes, or certainly some regular source of funding related to the powers and responsibilities of the particular agency. If it's a general regional government, certainly it seems to me it should have a direct taxing power.

Morris: Do you think in the fifteen years that you've been participating that this is more likely to occur?

B. May: I don't know. The United States generally has been slow to form regional governments and it doesn't look at the moment as if there is a viable plan that is likely to be presented to the legislature.

Morris: I was wondering what your personal satisfactions have been from all the time and energy you've put in and all the meetings that you've sat through.

B. May: Well, I think that there has been a great sharing of viewpoints through ABAG. One of the very notable things is that ABAG has discussed a growth policy for the region, and this has made many cities consider a growth policy in relation to their land use. I think there's a greater sophistication in regard to planning, though I think since the voters are not engaged in ABAG, for example, that the planning that is done there is remote from citizen concern, observation, or input. I think that the regulatory agencies like BCDC, the San Francisco Bay Conservation and Development Commission, or like the Coast Commissions, have had a much more direct effect at leading people to make up their minds one way or the other because they have been actually dealing with decisions.

Morris: Are they much different from the way BCDC was in its early days when they had, and still have, the power to review permits?

B. May: Yes, yes. And this is what the Coast Commissions also do. People say, "Well, this is weak because they regulate rather than plan." But it seems to me that these commissions have brought a concern for the environment, for the retention of appropriate port and other industrial sites along the coast and the Bay, and that they have brought an expanded willingness to consider the environment. I'm not sure that I would want the planning to be done on another layer up. I think that with the constant presentation of environmental questions and development questions in the news and in public hearings that we have an entirely different kind of approach to land use. It's not effective yet, but it's started.

Morris: Are you saying that in some of these cases legislation has been used as a means of increasing public consciousness and citizen acceptance of a new idea, new way of looking at things?

B. May: Well, the legislation was the base, but if they hadn't set up agencies that really acted and had some power to act, I think there would have been little result.

Morris: How about the quantity and the quality of the informed citizens, citizen input, and participation in government?

B. May: Well, I can only report what I observed on these regional groups. I would say that BCDC seldom had fewer than a couple of hundred citizens at public hearings. Most questions took two public hearings. And there were times that, as a commissioner, I thought every single one of the two hundred was going to speak! [Laughter]

I hear that the Coast Commission has very good attendance and you will recall that I thought even the earliest of these commissions, the Bay Area Transportation Study (which met at an even less convenient time for most citizens than the other two, holding its sessions in the morning) had a very good steady audience, as many public agencies do not.

Morris: What kinds of people were in those audiences?

B. May: Roughly they divided into "pro's" and "con's," people who were supporting a proposal and people who were opposing it. And these people changed sides, of course.

Morris: An individual might be on one side at BCDC and on the other side at ABAG?

B. May: Well, yes, or even on one side of one question before BCDC, and on the other side on another. And, of course, there were many proposals for modification.

The part of the BCDC planning that seemed seldom to have supporters was the idea of saving deep water for future port and industrial use. It seemed very difficult for either the people who represented business expansion or open-space expansion to realize that if we didn't save the deep water sites from permanent development that we just wouldn't have the space for business or industry to expand. This is hard to predict because there are vast changes.

Morris: Yes. When I asked about the composition of the audience, I was thinking of things like students with an activist kind of position when they spoke --

B. May: Very few. Very few students.

Morris: I was also thinking in terms of the city council. I remember in the early '60s when I first observed council meetings, there might be half a dozen people there, of whom one then was usually an

Morris: observer for the League of Women Voters, and a couple were either businessmen or attorneys who were speaking to a technical matter of a contract or something like that, and a few city staff people who were providing back-up for one of the subjects on the agenda.

B. May: Yes.

Morris: And by the late '60s that two hundred-seat auditorium would be packed with quite a variety of people, old and young, black and white, men and women, and even groups of people who seemed to come as a kind of entertainment. Maybe "entertainment" is the wrong word, but their attitude seemed to be: "This is an interesting thing in and of itself to watch happen."

B. May: Yes. I think that's a good summary of what happens at evening meetings of city council. Daytime meetings were chiefly men who worked at night, observers from local organizations, and businessmen, some presenting bids. City bids were mostly done in the daytime. And there were others advocating or opposing changes in plans, zoning, parking, and so on.

And there were, particularly in the '60s, as you said, a great many young people, many of whom had speeches and criticisms to make. I must say that in the regional agencies, very few students turned up with the exception of the students who were members of the Sierra Club or some other organization interested in the environment, but not even as many of those as you might have expected.

The organizations concerned about the environment were usually represented by attorneys or others who had had experience in lobbying at the legislature or before other governmental bodies. The developers were usually represented by, again, according to the crux of the issue, attorneys, their architects or planners, and often by related businesses who felt that a particular development would help their city or community and give employment. And there were certainly organizations that sent observers every time.

Then, since much of the testimony at various meetings related to new developments -- well, for example, ideas in regard to earthquake damage and its extent -- this would interest a great many people and they would come to hear a report.

Morris: Just to broaden their own understanding?

B. May: Just to broaden their own understanding, yes. I've picked this

B. May: because it is one which became more and more important in our thinking during the preliminary period. Now there has been a good deal of work done by a variety of institutions, and I think it is very probable that if BCDC is continued with its same powers that it should go into consideration of what could be agreed upon now as to planning for the shoreline when the earthquake occurs and when we pick ourselves up, because a great deal of the damage to the land use in cities subject to earthquakes is that everybody's in such a hurry to get the bags of flour under the roof or the houses built again that they don't then take time to control it.

Morris: You're suggesting a kind of a standby plan.

B. May: I think that BCDC could easily be charged with evaluation and laying down some new standards.

Considerations for Prospective Candidates

Morris: Several times in different connections you have mentioned the difficulties of finding a good person at the right time and the right place to be a candidate. I wonder if you have any handy advice for either potential candidates or for potential candidate-seekers.

B. May: Well, yes! [Laughter] I think that this is something we've talked about earlier, but it might be fun to recap it briefly. I think that one of the most important things is that the candidate, prospective candidate, really look at the city council from the point of view of what its responsibilities are and are not, and what the major problems are.

I think, as I'm sure I've quoted one man in advising me, if you run for something you must be sure you can bear to win. [Chuckle] You have to think about the hours, the many unglamourous decisions that need to be made, the difficulties in arriving at consensus, and the need for some flexibility in considering the needs of various groups of people, that the politician, of course, calls trade-offs, all of this continuous flow of business and decisions. A great deal of it is not glamourous, but it's necessary.

We've talked, I think, about various issues that were exciting, and we have left out a number that also were very very exciting to

B. May: me -- the expansion of direct personal services, for example, which hasn't yet gone as far as I would like to see it go; the whole field of staff training within the public service; and, hopefully, the reform of the tax structure within a city. These are all important issues that we worked on and which I find glamourous.

The improvement of the fire service, for example -- if it's your house that's on fire, it's a personal service! [Chuckle] One of the interesting and to me very glamourous things that we did, and haven't mentioned except incidentally, was to bring Berkeley's fire service from planning based on how fast a horse could pull the engine to how fast a motor could pull an engine. But this could be very dull, I'm sure, to many people. But I was glad I got a chance to ride on the new aerial rig --

Morris: I should say.

B. May: -- and decide whether the hose should be dried [laughter] on racks inside the building and look pretty, or whether it would handle more efficiently on a shelf outside.

All of these things a prospective candidate should think about and especially, to go back to personal services again, the telephone calls, some of inquiry and some of obscenity, and your family and how they're going to bear with them. A poodle objecting to a midnight telephone call is much easier to handle than a husband. [Chuckle]

Morris: Or a two-year-old.

B. May: Or a two-year-old, yes.

Morris: Can a councilperson or an assemblyman, for that matter, control some of these things? If you find that the meetings and the phone calls are too much, can you put in an answering service to screen the phone calls, and can you skip a meeting occasionally that you know is going to be routine and dull so that you can stay home and read the staff reports and still be doing your duty, as it were, by the people who elected you?

B. May: I don't think you're doing your duty by the people who elected you if you stay home from a meeting. [Laughter] And one of the salutary requirements of all the Berkeley City Council was that if you didn't go to a meeting, you didn't get paid for it.

Morris: That's a very direct encouragement.

B. May: It was a very direct expression of opinion. In regard to the telephone calls, my policy was, since there were no funds for an answering service, to take all daytime calls. But later there were so many threatening and so many obscene calls -- you may be interested to know that most of the obscene calls were from women.

Morris: That's very curious.

B. May: Yes. I formed the habit of disconnecting my telephone at night, just pulling it out of the jack in my bedroom. And since the kitchen was some distance from my bedroom at the other end of the house, I shut the door and didn't hear it ring. My family protested, but I said, "Just remember that I disconnect it at night," and while I had some bad news during the twelve years, it always could wait. It wasn't as if I had a young family near at hand that might need me in the middle of the night. I really do not see how a small city can afford that kind of protective service for its public officials and I hope that this kind of harrassment is dropping off, but this may be just a hope. I haven't checked.

I may say [laughter], as I think I've said earlier, during the period of the fair housing discussions and then later when there was a great deal of harrassment towards the end of the '60s, we all adopted different methods. Some people had unlisted telephones. Some people, and among them I believe I recall Mayor Johnson, who was always ingenious, adopted the policy of taking the inquiry that reached him at one or two o'clock in the morning and then replying to it at one or two o'clock in the morning.

All of us, of course, hung up immediately when the caller would not give their name. I got so that in the daytime there were certain voices I would just recognize and I would just laugh and say, "Not for you," and I would hang up. [Laughter] But I think that's always a continuing problem, and you have to realize that this is a minority expression and often just an emotional outlet for the person who is doing the harrassing.

Morris: How does one cope with verbal challenges and sometimes personal abuse in give and take between council members and from the audience?

B. May: I think if you have a good chairman, that doesn't happen. If you've got a wishy-washy chairman, it does and I think the council

B. May: should demand protection, not protection of the "throw them out" type, but protection of your time and, if necessary, cut off the audience microphone.

Thank you

Morris: Is there anything you'd like to add that we've not covered?

B. May: There are two things that we haven't covered that I would like to say towards the end. First, I would like to mention that when I retired, a whole group of organizations that we'll list gave me a retirement dinner that covered my career related to public affairs. This was a matter of great pleasure and satisfaction and turned out to be lots of fun because many of these people knew one another in different capacities, had appeared before one commission or another, or before the council. It was down at the marina, which we've talked about earlier, and a beautiful night in the ballroom of H's Lordship's, so that we could see the hills and the lights of Berkeley and Oakland and the Bay. With your permission, I'll put in some of the programs and some of the pictures and stories that appeared in the newspaper.

Morris: Yes, that would be very nice to have. The invitations paraphrased your campaign slogan, didn't they?

B. May: Yes. "In April, Dine with May." And Bill Sweeney was a very friendly and light-hearted toastmaster. It was for me and I think for most of the guests a very enchanted evening. One of the several satisfactions was that when we came into the room it was filled with the really delicious fragrance of wild azalea.

Imagine my surprise when I discovered that two couples had gone on privately owned land up the Mendocino coast and had picked the azalea in short sprays so that it didn't hurt, they said, the permanent growth of the plants. These same people with helpers had spent a good deal of the day putting them into bouquets for each table and a large bouquet for the speakers' table and everybody took the flowers home. It was charming and I greatly appreciated it.

Morris: That kind of ceremonial event is very pleasant.

B. May: Yes. The speeches were short and very moving and then I was greatly moved to have a book covering my career with a number of organizations. A copy of that, I understand, is in the Bancroft.

Morris: Yes. It was my basic research document for this interview.

B. May: Then I also would like to say that, aside from the interest of the subject matter that has concerned me in and about Berkeley for really more years than I care to think about [chuckle], I would like to express in some way my appreciation for all of the people who worked on these things.

You don't, in a democracy, accomplish anything, I think, completely by yourself. It's a matter of team work. And if I began talking about the people I've worked with, you would say, "Well, that's just another long list of names that she remembers." But it's the spirit of working together and also, I think, the spirit of being willing to strive for a reasonable consensus and to lay down goals that you feel can be achieved.

I also must state again what I have said earlier about the University of California at Berkeley and the ideas which it gave, certainly to the students of my time, of the process of learning and development and change, rather than a series of set formulae for the future. Much, if not all, of what I have been able in a small way in public life to accomplish does date back to ideas about the nature of evidence, the ways to judge or, hopefully, to make an investigation, and, may I say, the futility of either violence or loud shouting in arriving at a final decision.

I would be delighted to repeat over again and add to the people who greatly influenced the students of my time, but you've heard about some of them already. I think really the persons to mention and to thank now are those at The Bancroft Library; to begin with, Dr. James Hart, and certainly to include my kind and encouraging interlocutor, Gabrielle Morris, and to thank with a broad, general sweep of the hand those people who made this project possible at and for the university. [Chuckle] They may not consider this project their main pride, but I have enjoyed it and thank them.

Morris: That is a beautiful summation. For the Friends of Bernice Hubbard May, I would like to thank you for a really marvelous opportunity. I think that's a lovely place to stop, or I'll cry!

B. May: Oh, no! [Laughter]

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